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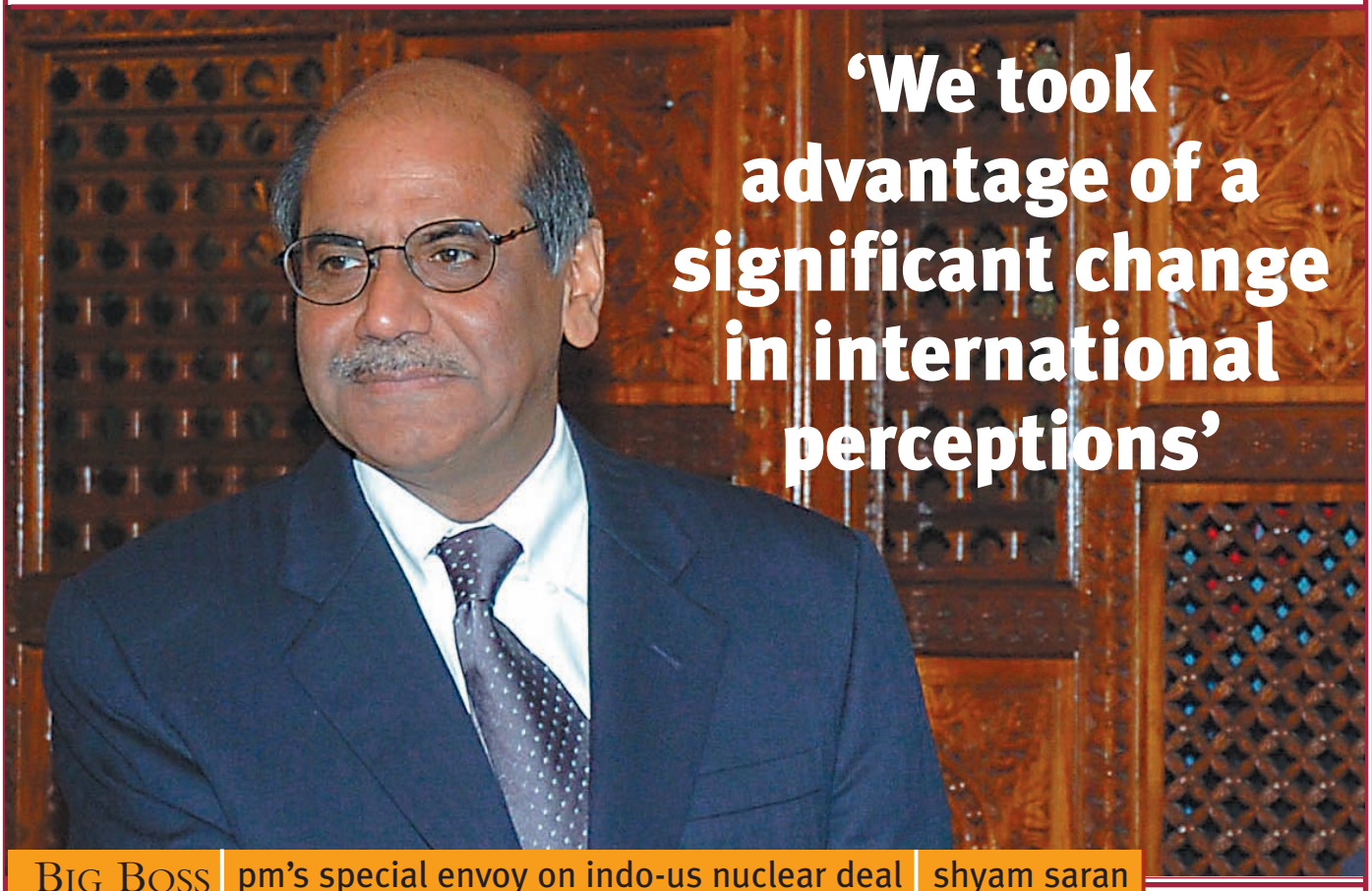

'We took advantage of a significant change in international perceptions'

BIG BOSS | pm's special envoy on indo-us nuclear deal | shyam saran

interviewed by ANIL TYAGI

Former Foreign Secretary Shyam Saran belongs to the 1970 batch of the Indian Foreign Service. He served at the MEA as Joint Secretary, heading the Economic Division, the Multi-Economic Relations Division, and the East Asia Division. He was also Joint Secretary in the PMO, looking after External Affairs, Defence and Atomic Energy. From 1992 till 2004, he was India's envoy to Mauritius, Myanmar, Indonesia and Nepal. Thereafter, he was Foreign Secretary till September 2006. Since October 2006, he has been the Prime Minister's Special Envoy on the Indo-US nuclear deal.

Holding a postgraduate degree in economics, he knows Chinese and French due to his various assignments.

gfiles: *What is the original motivation behind the nuclear deal and its implications for our strategic programme?*

Shyam Saran: Ever since India and the US declared their intention to resume bilateral cooperation in civilian use of nuclear energy on July 18, 2005, there has been a national debate on India's place in the nuclear domain. This debate is welcome. It enables public opinion to be educated on what has remained a relatively esoteric field. Attention has been focused on the significance of nuclear energy in achieving energy security. There has also been scrutiny of our strategic weapons programme.

gfiles: *How does India gain from the deal?*

SS: Let me share with you the mandate which Prime Minister Manmohan Singh gave us. Since 1974, India had been the target of an increasingly selective, rigorous and continually expanding regime of technology-denial, not only in the nuclear field but encompassing other dual-use technologies. It was our aim to seek the dismantlement of these inequitable regimes. In pursuing this objective, we were aware that: (i) The multilateral technology-denial regimes whose targeting of

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India we sought to end such as the Nuclear Suppliers' Group (NSG) and the Missile Technology Control Regime (MTCR) would require the US to take the initiative as the principal initiator and leader of these regimes, and also because it remains the world's pre-eminent source of new and innovative technologies. (ii) Since our PNE in 1974, technology denial was first limited to nuclear-related technologies and then expanded to cover a growing range of dual-use technologies. Unless we tackled the nuclear issue, we would not be able to obtain access to other useful technologies.

We were becoming increasingly aware that we would face a progressively more depleted market for conventional energy resources. Concerns over climate change would act as a further constraint on us. We had to adopt a strategy of diversifying our energy mix, with a say, 60,000 MW plus by 2030, then import of higher-capacity reactors and uranium fuel would be necessary.

gfiles: *Will we not detract from Homi Jehangir Bhabha's vision?*

SS: This in no way detracts from the continued pursuit of Dr Bhabha's visionary three-stage nuclear energy development programme, which may yield significant results in the longer term. But in the short and medium terms, a significant expansion of nuclear power is only possible if the constraints we face on import of uranium and of large-capacity reactors are removed. Furthermore, it is not really correct to put indigenous development and international collaboration as antithetical to one another. Dr Bhabha himself vigorously promoted international cooperation in nuclear energy which enabled India to lay the foundation of our current nuclear programme.

'Our objective is to enable India to have a wide choice of partners in pursuing nuclear commerce, and high technology trade. But we cannot attain this objective without the US taking the lead on our behalf'

graduated shift from fossil fuels to non-fossil fuels, from non-renewable to renewable sources of energy and from conventional to non-conventional sources of energy. Nuclear energy occupies a key place in this strategy. Despite the technology-denial regimes, our scientists had put in place a comprehensive, sophisticated and innovative nuclear industry, with highly trained manpower able to sustain a major expansion in nuclear power. Our constraints in this regard were availability of domestic uranium and a technological capability still limited to smaller-capacity reactors of about 700 MW, when the world was moving to 1600 MW reactors. If we were to envisage a major expansion in nuclear power in the medium term, to,

gfiles: *Are we accepting any limits? And what is the implication?*

SS: We are not accepting any limits. We (negotiators) were given a firm guideline that we should not accept any limitation whatsoever on our strategic weapons programme, which must remain inviolate and fully autonomous. It implies that: (i) our strategic weapons programme would be outside the purview of any international safeguards regime or any form of external scrutiny; (ii) our ability to further develop and produce such weapons would not be constrained in any manner; and (iii) we would retain our legal right to conduct a nuclear test should that, at any time in the future, be deemed necessary in our overriding national interest. It was felt that, this being a programme which had major potential for commercial exploitation of thorium-based nuclear energy in the future, we ought to safeguard its integrity for the present.

gfiles: *What assurance have we given that the deal will be finalized?*

SS: The July 18 Joint Statement incorporated a series of reciprocal commitments. On India's side, there was reaffirmation of some existing commitments, such as continuing a moratorium on

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LETTERS: I was pained to find that baseless charges have been levelled against me for no rhyme or reason. It is unfortunate that a magazine so respected and widely read by a discerning readership should come out with such reporting without verifying the facts. Contrary to the allegations of corruption, dissatisfaction among officers and workers, favouritism, and unprofessional decisions on my part, I have been leading my compa-

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THROUGHOUT its now close to one-year existence, gfiles has been harping on the importance of India's "steel frame". The phrase – cliched though it might be – aptly describes the institutionalized mesh within which the idea of India is allowed to happen and evolve. Within this superstructure – zealously guarded by the civil services, including the police – live the norms of civilized conduct that govern social, political and economic interaction. At any given time the steel frame is subjected to enormous stress, particularly from politicians and radical groups who would replace debate, discourse, orderly change and transition with demagogy and fascistic determinism. That this has so far not happened – even though the country has often teetered on the brink – is largely because Indians, notwithstanding their huge economic disparities, have displayed their faith in the domestic consensus that binds this relatively young democracy.

But this must not be taken for granted. It prevails only when citizens are convinced that the state is basically fair, just, and at the service of the people. This idea has triumphed over periods of political instability, and has survived the onslaught of demagogues. The primary duty of our civil servants is to ensure that the steel frame – of which they are the nuts and bolts – does not collapse. It is the only institutionalized device that keeps anarchy at bay. And the first duty of the civil services is to enforce law and order – the state's authority through legitimized power.

The record, however, shows a dangerous portent. Political demagogues like Raj Thackeray come cheaper by the dozen. And their views can be defeated politically in the marketplace of ideas. Let the people and their political representatives take care of that. But what the people cannot immediately remedy is the eruption of street-thuggery and blackmail by violence when a man like Thackeray publicly espouses – and that in the name of Jefferson! – a pernicious hate-group ideology of separatism and regional chauvinism that strikes at the very root of Article 19(1)(d) of the Constitution, guaranteeing to a citizen "the right to move freely throughout the territory of India. This right overlaps the right guaranteed by clause (e), namely, the right to reside and settle in any part of the territory of India. The right to move means the right of locomotion and the qualifying adverb 'freely' connotes that the freedom to move is without a restriction and is absolute, ie, to move wherever one likes, whenever one likes, and however one likes, subject to any valid law enacted under clause (5)".

This is not to suggest that the civil services have the right to gag him. By all means let him shoot his mouth off. The local and district administrations, however, have the fundamental duty to prevent a breakdown of law and order by taking immediate preventive action such as the issuance of prohibitive orders under Section 144, or filing charges under appropriate provisions of the law. What is maddening is that our guardians of the law – district magistrates and superintendents of police – too often delay these activities until after the damage has been done, not only to life and property but also to the idea of India and Indian-ness.

They wait for political direction when no such course is necessary. Our civil servants are sworn to uphold the Constitution and not to protect the politicians. And they are violating their oath of office when they drag their feet in taking swift and firm pre-emptive action. Witness the anti-Sikh riots of Delhi. The post-Babri Masjid Mumbai riots. The recent storm trooper behaviour of street fighters following the Thackeray outbursts. Acting independently to stave off violence without a political green light is within the prescribed duties of the bureaucrats. This is not a question of waiting for political direction such as in the case of signing the nuclear deal or raising petrol prices.

What price would a good officer have to pay for doing his duty to protect lives and property? He'd be transferred. So. OK, big deal, transfer me. If all bureaucrats took the same attitude – so, big deal, transfer me, but I'll stick to doing my duty! – the politicians' biggest weapon against the steel frame – the right to transfer – would be blunted.

INDERJIT BADHWAR
Editor-in-Chief

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ny from strength to strength since February 5, 2004 when I assumed charge. Coal production rose from 47 million tonnes in 2003-04 to 52.16 million tonnes in 2006-07, sales turnover rose from Rs 3,661 crore to Rs 4,630 crore, and profit rose from Rs 1,647 crore to Rs 2,177 crore during the same period. During this fiscal, 2007-08, coal production is likely to be 59.20 million tonnes and profit is expected to be over Rs 2,600 crore. The fact that the company and I personally have won so many awards for professional excellence, environment management systems and corporate social responsibility, as well as the fact that the company has recently earned the status of "Mini Ratna" under my leadership bear testimony to the sound professional ethos professed by me and my team.

It is a fact that Shri Ratan Singh, industrialist, buys coal from Northern Coalfields Ltd like many other consumers and we do have a professional relationship that should exist between a producer and a consumer. But it is very unfortunate that a tarnished picture of this relationship has been painted in the said article without verifying the facts.

It is wild thinking and totally false that I have been making huge investment in a cement factory at Singrauli. I think this fact should have been verified before printing.

It is also true that I have taken disciplinary action against some officers for irregularities committed by them, with the sole intention of bringing in fairness, transparency and reining in corruption. Yet it is totally baseless that the showcause notices to the officers have been issued without any basis. All such cases are dealt with under the laws of the land and statutes governing public sector companies.

I enjoy the full support of my hard-working and dedicated team of employees who also, in turn, repose immense confidence in me. It appears that such baseless charges are a figment of imagination of some disgruntled people who are on the lookout for a platform from where they could malign my image for their own vested ends.

VK Singh, Chairman-cum-Managing Director, Northern Coalfields Limited

The February 2008 issue of gfiles referred to Maj-Gen Ashok Mehta as Lt Gen. The error is regretted.

Continued from page 2

nuclear testing and participating in multilateral negotiations on a Fissile Material Cut Off Treaty. There was acknowledgement of steps already taken by India as part of its responsibilities under UNSC resolution 1540 and under the already concluded Next Steps in Strategic Partnership. These relate to strengthening controls on the export of sensitive technologies, including reprocessing and enrichment technologies. These controls provided assurance to our partners that whatever we received under international cooperation would not be diverted to third countries.

The new element was our commitment to separate our civilian and military nuclear facilities and offer the former voluntarily for IAEA safeguards. This was necessary for us to give our international partners the assurance that whatever we would receive as technology or equipment for our civilian facilities would not be diverted to benefit our strategic programme. This was, in our mind, a legitimate expectation on the part of the international community. Nevertheless, we reserved the right to determine which facilities would be designated as civilian; further, the separation process would be carried out in graduated steps up to 2014 so as to avoid any dislocation in our nuclear industry.

gfiles: *What has India obtained till now?*

SS: Reciprocally, in return, was a US commitment to adjust its own laws so as to permit full civil nuclear energy cooperation with India, which is bilateral; and also a commitment to work with friends and allies to bring about a change in international, multilateral regimes such as the NSG to enable the international community to also engage India in full civil nuclear energy cooperation, which is multilateral. With the US delivering on these commitments, India will become fully integrated into the global nuclear energy market after a gap of over 40 years. And it will be able to achieve this without accepting any limitation or constraint on its strategic weapons programme.

The July 18 Joint Statement was then translated into more elaborate and specific arrangements in a Separation Plan, presented to Parliament in March 2006 and in the text of a bilateral cooperation agreement, or the so-called 123 Agreement between India and the US concluded in July 2007. In practical terms, this meant ensuring that there would never again be a threat of reactor operations being disrupted due to suspension of fuel supplies. We will also need to ensure that India has the right to reprocess foreign-origin spent fuel. In both respects, the US-aided Tarapur nuclear facility had suffered and this hung over the negotiations as a negative legacy. There had been US unilateral suspension of fuel supplies, just as there had been a refusal to allow India to reprocess spent fuel, which kept accumulating as hazardous waste, which the US was also not willing to take back.

'India will become fully integrated into the global nuclear energy market after over 40 years. And it will be able to achieve this without accepting any limitation or constraint on its strategic weapons programme'

Handshakes and smiles aplenty

gfiles: *But the general impression is that India has agreed to permanent IAEA safeguards on its civilian facilities….*

SS: We are aware of this. Our position from the outset had been that we have no problem with permanent safeguards, provided there are permanent supplies of fuel. The multi-layered fuel supply assurances are unique in international nuclear negotiations and include India's right to take "corrective measures", should any disruption still occur despite these assurances. India's entitlement to build strategic reserves of fuel for its civilian reactors, to last the lifetime of such reactors, is also unique.

gfiles: *Don't you think you have buckled to the various provisions of the Hyde Act? It is argued that, irrespective of what the 123 Agreement may say, India will be subject to the several onerous provisions of the Act.*

SS: The operative heart of the Hyde Act incorporates three permanent and unconditional waivers from relevant provisions of the US Atomic Energy Act of 1954. Simply, we can say the Hyde Act allows the US Administration to engage in civil nuclear cooperation with India, waiving the following requirements: (i) that the partner country should not have exploded a nuclear explosive device in the past; this waiver is necessary because India exploded a series of nuclear explosive devices in May 1998; (ii) that the partner country must have all its nuclear facilities and activities under full-scope safeguards; this waiver is necessary because India has a strategic programme which would not be subject to international safeguards, nor would its indigenous R&D programme; and (iii) that the partner country is not currently engaged in the development and production of nuclear explosive devices; this waiver is required because there is no freeze or capping of India's strategic weapons programme. It is an acknowledgement that we will continue to develop and produce additional strategic weapons.

Irrespective of what else the Hyde Act may contain, these three permanent and unconditional waivers are extremely significant because they acknowledge that India has an ongoing strategic programme. No restraint on this programme is envisaged as a condition for engaging India in civil nuclear energy cooperation. This is a significant gain for India and should not be lost sight of. Just juxtapose this with the UNSC Resolution 1172 of June 6, 1998, which called upon India to stop, roll back and eliminate its strategic programme and join NPT as a non-nuclear weapon state.

gfiles: *Will the US Congress agree to the amendments in the Hyde Act?*

SS: Of course, there are several extraneous and prescriptive provisions in the Hyde Act which we do not agree with and in negotiating the 123 Agreement we have been more than careful to exclude such provisions. If the US Congress considers the 123 Agreement, as currently drafted, as being in contravention with their own understanding of the Hyde Act, the agreement would be voted down. That would be the end of the matter. If, however, Congress does approve the 123 Agreement, then this would confirm that the provisions of the Agreement are what would govern the commitments of the two sides.

gfiles: *What are we aiming for?*

SS: Our objective is not merely to seek the US as a partner. Our objective is to enable India to have a wide choice of partners in pursuing nuclear commerce, and high technology trade. But we cannot attain this objective without the US taking the lead on our behalf. Yes, Russia and France are countries which are friendly to India and extremely keen to engage in nuclear commerce with us. However, there should be no doubt that neither they nor others will make an exception for India unilaterally unless the Nuclear Suppliers' Group adjusts its guidelines in the same manner as the US is prepared to do. Whatever be the reservations expressed about our relations with the US, no other friendly country, member of the NSG has the necessary standing to lead the process of opening up the existing multilateral regime to accommodate India.

gfiles: *Why should we deal with the US and not the NSG alone?*

SS: The US is in a unique position precisely because it initiated these restrictive regimes in the first place and also because it remains the pre-eminent source of new sensitive technologies.

gfiles: *So how will you reach the final agreement?*

SS: The process we are engaged in will face several challenges even if the controversies at home were somehow resolved. We still await the finalization of the India-specific safeguards agreement with the IAEA. Thereafter, the NSG will meet to consider exempting India from its current guidelines. These guidelines, like pre-Hyde Act US legislation, require that its members engage in civil nuclear energy cooperation only with countries that have all their nuclear facilities and activities under full-scope safeguards. It is our expectation that there would be a fairly simple and clean exemption from these guidelines, without any conditionalities or even expectations regarding India's conduct in future. Finally, the US Congress has to vote to approve the 123 Agreement. Only when these separate landmarks have been achieved, can we really have the practical possibility of resuming civil nuclear energy cooperation with the international community.

gfiles: *What enabled India to even attempt such a pathbreaking initiative? Would it not have been more prudent to engage in incremental pursuit of more limited gains which would cumulatively add up to something significant eventually?*

SS: In pursuing this initiative in 2005, India took advantage of a significant change in international, including US and Western, perceptions of India. First, 15 years of accelerated and sustained economic growth, coupled with the steady globalization of the Indian economy, marked India's emergence as an economic power-house, even as its democratic structures gave it a reputation for political stability. The prospects for continued and steady growth of India's economy made it an indispensable partner for countries across the globe. Second, a globalizing world found itself confronted with a number of transnational, cross-cutting issues such as international terrorism, drug trafficking, global pandemics and the twin challenges of energy and climate change. In seeking solutions to such global challenges, the active involvement of India as a large, populous and continental-sized economy, has become indispensable. This is another reason India's global profile has increased. Third, India had emerged as a country with significant defence capabilities and has an enviable record of activism in UN peacekeeping. In December 2004, its swift response to the tsunami and its ability to extend sig-

nificant assistance to affected countries also demonstrated its capabilities to contribute to maritime security and help deal with natural disasters. Fourth, despite a four-decade effort to put India in a technological corral and constrain its nuclear and space capabilities, Western countries led by the US had failed to achieve their objective.

Technology denial may have slowed down India's development in some respects, but on the other hand India was now a country with a wide range of sophisticated and sensitive technologies, isolating which made no sense, particularly at a time when engaging India promised much more by way of political and economic gains, not the least by partnering its outstanding scientists in the collaborative development of cutting-edge technologies such as the International Thermo Nuclear Energy Reactor (ITER) project. India was able to get a clear message across to the world – you cannot continue to treat India as a target, even as you seek to engage it as a partner. These entities had so far excluded India such as the UN Security Council or, worse, targeted it as an adversary like the NSG.

gfiles: *What is the likely role of nuclear weapons in ensuring India's security?*

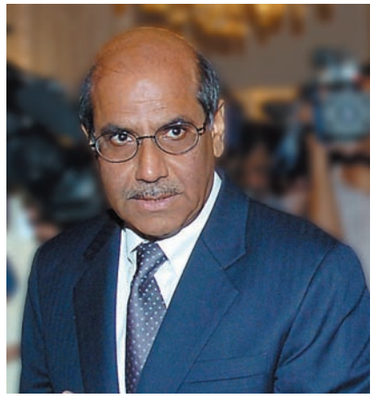
SS: The traditional concept of nuclear deterrence is with reference to States and that is how we have defined our deterrent as well. However, even in this respect, our nuclear doctrine affirms India's conviction that its security would be enhanced, not diminished, if we were able to achieve a world free of nuclear weapons. It is this conviction which underlines our continued advocacy of nuclear disarmament. While asserting our right to a nuclear deterrent, we should not forget this other dimension of our security posture.

gfiles: *How do you threaten nuclear retaliation against such non-State actors?*

SS: The danger posed by proliferation of nuclear weapons to non-State actors is of a different and more threatening dimension than that from proliferation to additional States. India has all along argued that, as long as the world is divided between those who possess nuclear weapons and those who do not, there will always be a strong incentive for countries outside the club to seek to enter it. Recent experience indicates that the NPT and technology-denial regimes may delay the emergence of new nuclear weapon States but are unlikely to prevent it. As long as there exists such motivation among States, there will inevitably be a clandestine market for nuclear technology and material, as demonstrated by AQ Khan's nuclear supermarket. If such a clandestine market continues to flourish, as it does even today, the danger of nuclear explosives or fissile material and technical know-how enabling the manufacture of nuclear weapons falling into the hands of non-State actors, such as *jehadi* groups, will continue to haunt our world. India has to be deeply concerned about the danger it faces, as do other States producing and deploying nuclear weapons, India's strategic autonomy must be safeguarded. However, we must not forget that, despite being a nuclear-weapon State, India remains convinced that its security would be enhanced, not diminished, if a world free of nuclear weapons were to be achieved. Today, the country's security is further threatened by the risk of proliferation to non-State actors and terrorist groups. So also is the security of all other States. It is only through the urgent and complete elimination of nuclear weapons that it may be possible to minimize, if not entirely dispel, the threat of nuclear terrorism by non-State actors.

gfiles: *It is a billion-dollar deal. It is said that we are under pressure to push it because the US wants it.*

'Our position from the outset had been that we have no problem with permanent safeguards, provided there are permanent supplies of fuel. The multi-layered fuel supply assurances are unique'



States, from this new and growing threat.

In 1965, when India sponsored negotiations on a Non-Proliferation Treaty, it proposed that non-nuclear weapon States should commit themselves to never developing or acquiring nuclear weapons, in return for a legal and time-bound commitment by nuclear-weapon States to eliminate their arsenals. Today, as a nuclear-weapon State, India is in a unique position to take the lead in resurrecting the original grand bargain because the danger of nuclear terrorism threatens to engulf all States.

India's security was also being threatened by clandestine proliferation in its own neighbourhood, without any remedial action being taken at the international level. In a world populated by

SS: It is absolutely incorrect and those making this criticism are not aware of the facts. It will all depend on what reactor and technology we buy. If we are choosing to buy a 1600 MW reactor then we have to plan from which country we are going to buy. Cost varies due to many aspects: technology, country, contract conditions etc. There have been estimates in the media that if petrol remains above $45 per barrel then it is cost-effective to have nuclear power and one can understand what the price of petrol is today.

gfiles: *How much time will it take to sign the 123 agreement?*

SS: It is not proper to say how much time it will take. We are trying for it to be signed as soon as possible. g

Misguided supply-siders

Energy efficiency is the answer, not nuclear power with its many drawbacks

by MG DEVASAHAYAM

NO other issue in recent memory has engaged the time and attention of ministers, parliamentarians, bureaucrats, diplomats, journalists, scientists and intellectuals more than the Indo-US nuclear deal. No other business has been lobbied so intensely by the President of the US and the Prime Minister of India. No other deal has brought the government of India to the brink of collapse on more than one occasion.

All this for establishing imported nuclear power generation capacity of about 30,000 MW by 2030 – a costly, unsafe, risk-prone supply-side solution incapable of providing energy security and responding to the challenges of global warming and climate change.

A team of international energy experts convened by the US-based UN Foundation to combat global warming and climate change have put together a document titled "Realizing the Potential of Energy Efficiency". Here are the punch lines of the report:

Demand for global energy services to support economic growth has grown by 50 per cent since 1980 and is expected to grow another 50 per cent by 2030.

There are two options available to meet increased demand for energy: supply more energy or improve energy end-use and supply efficiencies. Clearly, both are needed. However, only energy efficiency can generate immediate results with existing technology and proven policies while generating strong financial returns exceeding those from investments in conventional energy supply.

Simply increasing conventional energy supply is not a viable option because continued reliance on the predominant energy source, fossil fuel, exacerbates energy insecurity and raises serious environmental concerns, especially related to climate change.

These recommendations call for the Group of Eight (G8) countries to commit to a collective goal of doubling the global historic annual rate of energy efficiency improvement to 2.5 per cent per year from approximately 2012 through 2030. They can gain clear economic and security benefits from improving their own efficiency performance. In addition, by working effectively with the +5 nations (Brazil, China, India, Mexico, and South Africa) the G8 countries can spur efficiency improvements in economies that together consume nearly 70 per cent of global primary energy. If India participates in this endeavour, the country could "generate through savings" around 90,000 MW of electricity by 2030 and also effectively combat global warming and climate change — at less than one-fourth the cost of 30,000 MW of nuclear power!

Energy-efficient buildings are one solution

FOTOS4INDIA

	Low-case	High-case
Energy savings [GWh]	104, 624	167,727
Peak generation saving [MW]	38,430	61,616
Saving as % of projected gen. capacity	20.25	20.25
Saving in monetary terms [$ billion]	17	27

A 1991 report by the American Council for an Energy-Efficient Economy and the National Productivity Council of India outlined the energy-saving potential by 2004-05. *(See box.)*

But energy efficiency found no place in the "power sector reforms package" in the mid-1990s for "restructuring and privatizing" India's power sector!

A recent study estimated that the economy has energy-saving potential up to 23 per cent and key sectors like agriculture, industry, transport and domestic and commercial have energy-saving potential of 30 per cent, 25 per cent, 20 per cent and 20 per cent, respectively. Energy efficiency improvements have three components — enhancing supply efficiencies, demand-side management and end-use efficiency. Enhancing supply efficiencies would involve substantial improvements in the Plant Load Factor of generating stations, which is quite low by international standards. Demand-side management involves actions by power utilities, beyond the consumer's meter, to flatten load curve, reduce system peaking, minimize transmission and distribution losses, improve the power factor and enhance power quality. End-use efficiency is achieved through consumer-driven activities to minimize wastage, reduce energy intensity, enhance performance, improve quality and save cost. India has an Energy Conservation Act, 2001 and also an Electricity Act, 2003, providing for policy and regulatory mechanism to mandate and promote energy efficiency. The Bureau of Energy Efficiency was set up under the Ministry of Power to support and provide innovative financing and to function as a nodal agency and facilitator for energy efficiency activities. But, not a fraction of our massive energy efficiency potential has been tapped. g

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Papa PC on lobbying mission

chidambaram junior's debut

LIKE any other politician of the country, Finance Minister P Chidambaram wants to introduce his son, Karthik Chidambaram, who is a Chennai-based sharebroker operating from Hyderabad, into politics. The launch platform chosen for Chidambaram junior's debut is the Tamil Nadu Youth Congress Committee.

Chidambaram knows that the youth wing of the Congress is almost defunct and there is not much for its president to do in the state. Nonetheless, the post will qualify his son as a political and organizational person and help his rise to the top. But the task is proving hardly as simple as he had thought it would be. As Finance Minister, he sails through the formidable exercise of presenting the nation's annual budget. Yet, when it comes to lobbying for a post in the Congress, he is virtually undergoing baptism by fire.

There are any number of quaint hurdles in the way. The president of the Tamil Nadu Congress Committee, M Krishnasamy, is the father-in-law of the Union Minister of Health, Anbumani Ramadoss. Should Karthik be made Youth Congress chief, it will mean that the party's leadership is limited to the kin of its central leaders. While the national president of the party's youth wing, Ashok Tanwar, is not opposing Karthik's candidature for strategic reasons, the Rahul Gandhi brigade is apparently against the young man. No guesses on who will finally call the tune.

Advani nips Natwar plans

bjp leader's circumspect now

WHY did LK Advani cold shoulder the attempt of suspended Congress leader K Natwar Singh to join the BJP? Singh owes his political career to the Nehru dynasty and enjoyed its trust until his name figured in the Iraqi oil-for-food scam. However, it was reportedly his threat to expose 10 Janpath rather than the scam that brought about his suspension from the party in 2006. The embittered Singh then started rediscovering his Jat roots and evidencing proximity to the BJP. Last month, at a BJP-sponsored Jat rally in Rajasthan, he announced his resignation from the Congress and praised the saffron Chief Minister of the state, Vasundhara Raje Scindia.

Singh's obvious calculation was that the BJP, desperately in need of a Jat leader to fill the void created by Sahib Singh Verma's death, would readily admit him to the party and give him a Lok Sabha seat from his home district, Bharatpur.

He forgot that Advani is very conscious about his political moves since becoming the party nominee for the Prime Minister's post after the next Lok Sabha polls. The BJP had a tough time justifying the admission of the tainted former Congress Minister, Sukhram. And Singh's entry would further embarrass the party. Hence, Advani turned down Singh, declaring that the BJP is not a dumping ground for tainted Congress leaders. Now Singh is reportedly threatening to reveal the truth behind Sonia Gandhi's refusal of the PM's post. And the Congress is responding by expediting investigations into the scam. Watch this space.

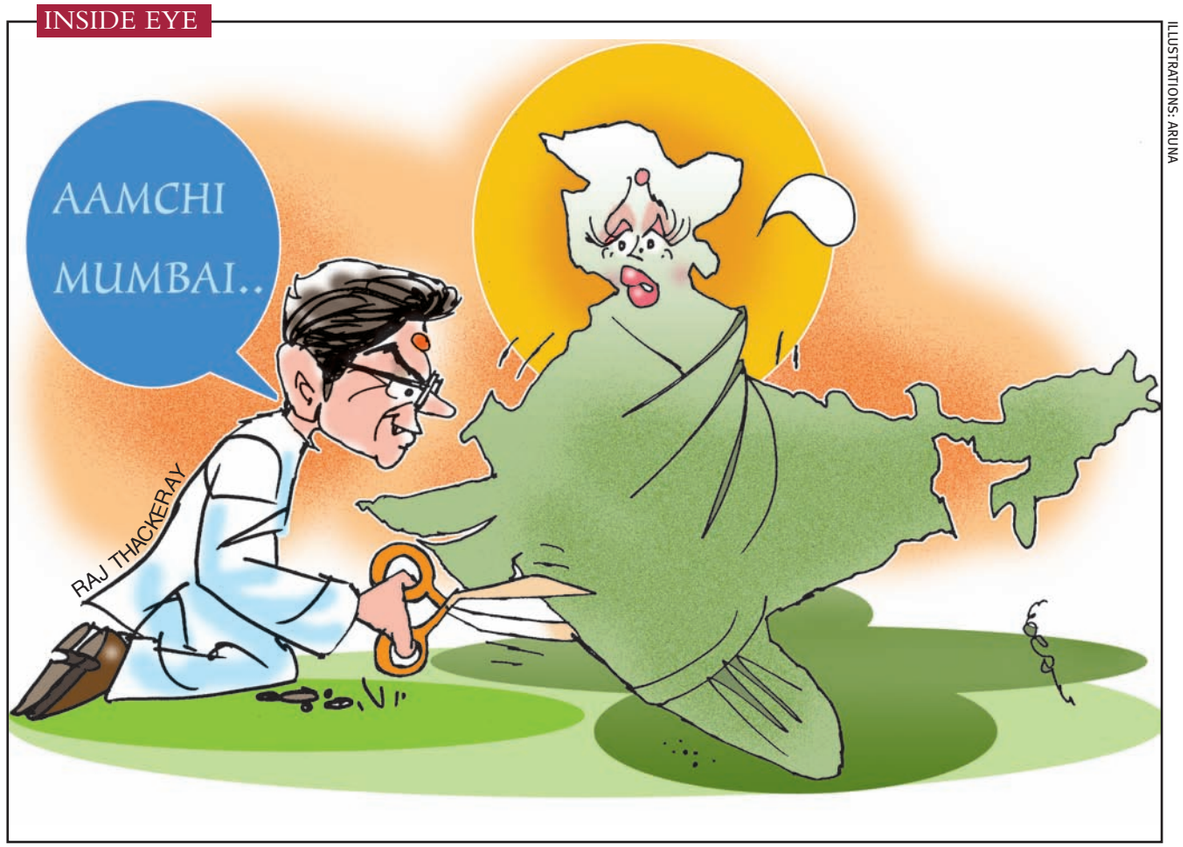
Hobson's choice for Pachauri

booted out from clique

THE loyalists of 10 Janpath are continuously reminded that beggars can't be choosers. Suresh Pachauri, a four-term Rajya Sabha member and Minister of State for Parliamentary Affairs and Personnel, recently had a taste of it when the Congress high command appointed him president of the Madhya Pradesh Congress Committee last month. The Central and state Brahmin leaders worked on a multi-pronged strategy to untie Pachuri from the apron strings of the Congress president and then launch a *coup de grace* against him.

First, they convinced the party president that his appointment would woo Brahmin voters and contain Mayawati's inroads in the state ahead of elections. Now, the same group is mounting moral pressure on the central leadership to apply the principle of "one man, one post" and tell Pachauri to put in his papers as Minister. The beleaguered man knows he has been cleverly trapped and has no option but to concede defeat on his home turf, from his own caste who are ready to prove him a failure in the next polls.

INSIDE EYE



ILLUSTRATIONS: ARUNA

Rejoicing silently at the internecine war of the Brahmins and the Godsend in the form of this development in the state is the powerful feudal Thakur lobby in the state Congress, the Union Cabinet and the party's central organization. Pachauri, unwilling to forgo the creature comforts of Delhi, is also aware that, once out of the Centre, it is next to impossible to regain footing — such is Congress culture.

Lost in translation

kidwai's malayalam mail

AT the headquarters of the Indian National Congress at 24 Akbar Road, New Delhi, it seems there is scant value attached to regional languages in organizational matters. The party does not provide secretariat staff conversant in regional languages to the General Secretaries. Veteran Mohsina Kidwai is a General Secretary and is also in charge of the party organization in Kerala. She has been given the services of a small-time secretary. But, when Kidwai is on tour, the secretary complains of being without work.

Kidwai's office gets correspondence from party workers in Malayalam and also receives visitors from the state who can speak only their mother tongue. Confronted with such a situation, the helpless staff sends the letters and visitors to Malayalam-speaking Tom Vaddakan, Secretary, Media Cell, or PP Madhawan, Officer on Special Duty in the PMO, or Vincent George at 10 Janpath. Already overburdened with work, these people cannot help. So the office staff forwards the correspondence to the secretary. By the time the latter is able to get translation into English done outside the party office, another bundle of letters arrives for translation. g

Foot-in-mouth disease

The office of the PM should not get embroiled in parochial issues trumpeted by regional satraps

by NIRANJAN DESAI

THE unnecessary spat between the Governments of Malaysia and India resulted from a crude combination of regional and tribal chauvinism and the imperatives of coalition politics in which the Prime Minister played a pathetic second fiddle. Tamil Nadu Chief Minister M Karunanidhi's gratuitous remarks about the situation of Malays of Tamil origin were totally out of place. Under the Constitution, foreign affairs is the domain of the Central government.

This is not the first time Karunanidhi has embarrassed the Centre. Earlier, he penned an elegy for a senior Liberation Tigers of Tamil Eelam (LTTE) functionary who was killed in a Sri Lankan air raid, forgetting that the LTTE is a terrorist organization in the eyes of most of the world.

The Manmohan Singh government swallowed the embarrassment owing to coalition arithmetic. Not only that, the Prime Minister himself made remarks about the situation of ethnic Indians in Malayasia. That is tantamount to gross interference in a country's internal affairs! No wonder these intemperate remarks raised the dander of the Malaysian government which in turn was compelled to tell both the Centre and Tamil Nadu governments to lay off. Both governments emerged from the episode with lowered dignity without in any way helping the cause of the ethnic Indians. In fact, the situation for their leaders worsened with the Malaysian government accusing them of having links with terrorist organizations, particularly the LTTE.

Contrast this with the situation in 1972 when Idi Amin's government in Uganda expelled persons of Indian origin in a span of three months in 1972. Neither Manmohan Singh's Congress nor any of the Tamil leaders made any public protest about this brutal uprooting of ethnic Indians who had lived there for generations. Recently, when the British government tried to arbitrarily change the visa status of Indians working in the UK with many facing the prospect of a sudden return to India, the Government of India did not even make a *proforma* protest to the UK authorities on behalf of its own citizens.

There are lessons to be learned from all this. Dealing with foreign governments has to be the domain of the Ministry of External Affairs. The Constitution mandates that foreign affairs falls within the sole purview of the Central government which should abundantly make clear to all regional satraps that they should not interfere in the conduct of foreign relations and embarrass the nation. If the Prime Minister had even hinted to Karunanidhi to lay off, then the Malaysians would probably have been spared having to do so.

Ethnically Indian, they are Malays first

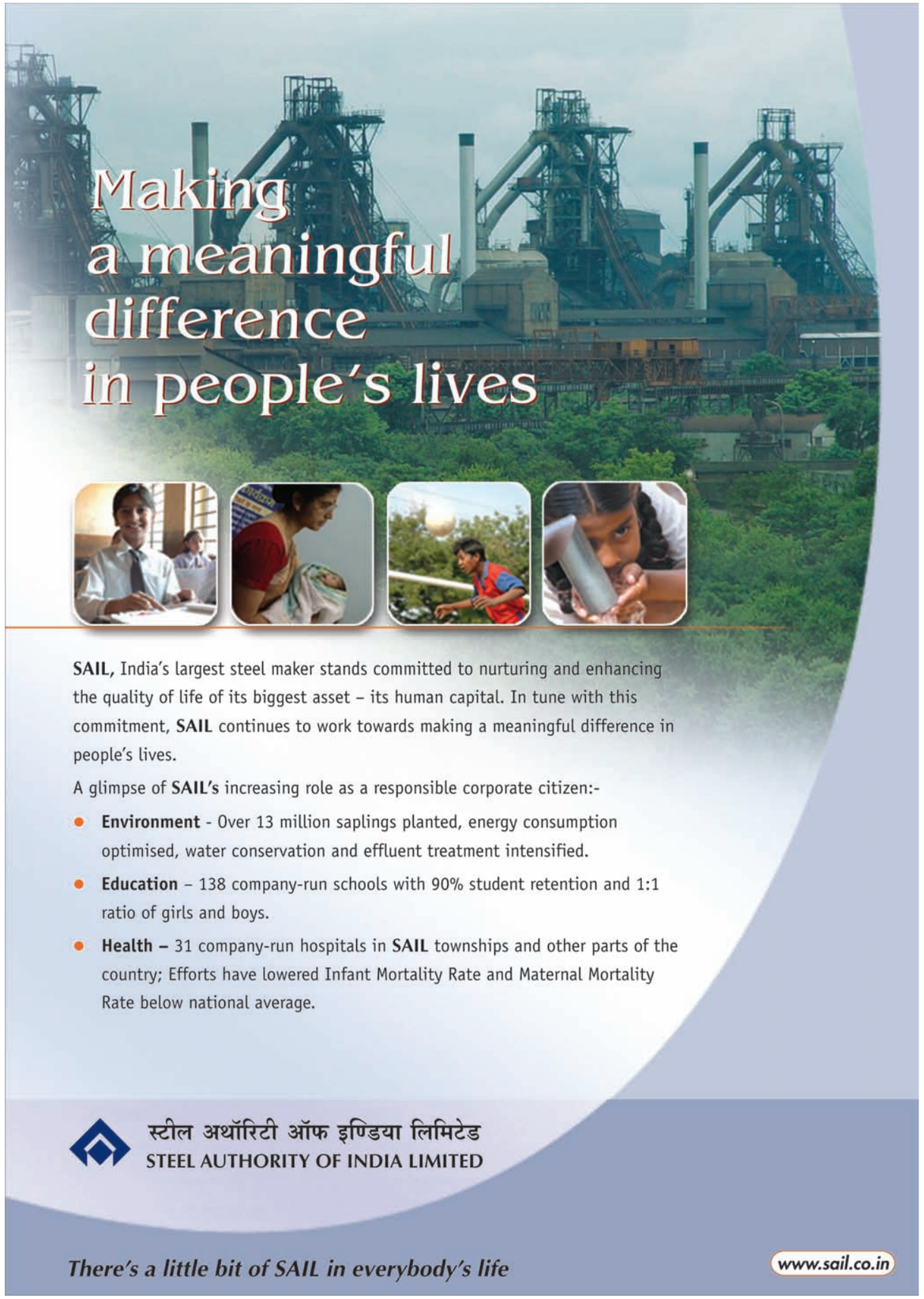
COURTESY: TELEGRAPH, UK

When Britain tried to change the visa status of Indians working in the UK, the government did not even protest

Espousing the cause of ethnic Indian communities is always tricky. We as Indians can and should empathize with them but a careful line has to be drawn so as to ensure that this is not perceived as interference in any country's internal affairs. All countries are prickly about sovereignty. The same MPs who protest about alleged mistreatment of ethnic Malay Indians are also up in arms against some Islamic countries when they talk about mistreatment of Indian Muslims. We showed greater maturity as a young nation in dealing with sensitive issues of diaspora in the early years of independence because the Central government ensured that India spoke with one voice with its international interlocutors. There was much quiet diplomacy involved and matters were not raised to Ministerial or Prime Ministerial level, unless in support of the official parleys.

In the case of the Malay Indians, the situation was vitiated by crass Tamil chauvinism. When Karunanidhi spoke, it was as a Tamil and not as an Indian. Intemperate outbursts against foreign governments often result in equally exasperated responses from them for they have no coalition compulsions. Given that Karunanidhi is first and foremost a politician who is dependent on Tamil votes, he probably could not have reacted in a sophisticated manner and probably did not want to. But was there a need for the Prime Minister to raise the debate at his level when a statement by the official spokesman of the Ministry of External Affairs could have served equally well in making a *proforma* protest, if it was necessary to do so? The pressures and imperatives of coalition politics probably made the Prime Minister do so.

But the office of the Prime Minister is too important and should not be allowed to be subject in this manner to a regional satrap who has a parochial and limited agenda as opposed to the interest of the nation. g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Every citizen is a policeman sans uniform

Alert citizens can avoid pitfalls, avert damage to property, injury to self and others

A TENDENCY has developed among people to blame the police for every ill in society even when their own contribution towards such ills is not small — be it in the form of contributory negligence, abetment of illegal acts or committing offences. Lawlessness, the ever-rising criminal graph, a steady increase in white collar and economic offences, the growing incidence of road accidents and a general state of discontent and unrest are all attributed to policing failure. The police is held responsible even in cases where citizens are responsible for some unsavoury outcome of their own doing. According to the established position of law, it is every citizen's duty to keep his loss to the minimum since his negligence may result in loss either caused or increased by his contribution — knowingly or otherwise. Thus, every citizen must remain alert at least to the extent of safeguarding his own interests and not indulging in activities that may occasion injury or loss to himself or others.

"Contributory negligence" was thus defined in a judgment: "Contributory negligence consists of absence of that ordinary care which a sentient being ought reasonably to have taken for his own safety, and which had it been exercised would have enabled him to avoid the injury of which he complains, or the doing of some act which he ought not to have done and but for which the calamity would not have occurred." [Wakelin v. London and South Western Rly Co., (1886) 12 AC 41]

People indulge in several activities, unwittingly as well as intentionally, that could be termed as negligence — contributing to landing them in a crisis *(see boxes)*. Citizens also invite trouble by doing certain things with a rigid schedule and careless prominence:

Keeping huge amounts of cash in shops and offices without adequate safety and security; transferring huge amounts of cash from business place to bank and vice versa without armed escorts; collecting cash from debtors on a fixed schedule, carrying it in shoulder bags, scooter dickeys and without adequate security; flaunting costly jewellery at public functions; keeping large amounts of cash and valuables at home in cupboards with the keys placed in obvious places; sleeping outdoors in summer without securing entry to the house; failing to make security arrangements before leaving the house shut for days, not even asking neighbours to keep an eye out for strangers and intruders.

It is the duty of every citizen not to indulge in crime and to anticipate criminal conduct by a third person. When circumstances are such that the possibility of harm caused by criminal conduct of a third person is, or in the exercise of due care should be, reasonably foreseeable, it is negligence to fail to use reasonable care to prevent such criminal act from causing injury or damage. The Constitution of India guarantees (a) the right to practise any profession, or to carry on any occupation, trade or business, and (b) protection of life and personal liberty of every person, whether a citizen of India or not. The State, accordingly, is dutybound to ensure these rights and provide adequate protection.

But the Constitution also imposes some fundamental duties on the citizens. Article 51A expects every citizen "to safeguard public property and to abjure violence" and "to strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rises to higher levels of endeavour and achievement". The emphasis on "excellence" indicates that citizens are not expected to perform their duties half-heartedly. Yet, experience shows that people want the State to perform its duties to the hilt, but conveniently forget their role.

Diminishing moral values in society have caused a growing tendency to violate laws, unless checked at every moment. For example, people abide by traffic rules only when the traffic police is present. When apprehended for a violation, people invariably try to bribe their way out of the situation.

What contributes to rail, road accidents?

- Drunken driving, speeding, acrobatics on the road and racing for fun;
- Continuing to use vehicles/coaches starved of maintenance;
- Allowing minors to drive two- and four-wheelers and taking pride in their acrobatic skill on the road;
- Allowing wards to drive vehicles without driving licences;
- Looking the other way at violation of traffic rules by their wards on busy junctions and roads;
- Allowing schoolgoing kids to travel in overcrowded cycle rickshaws or auto rickshaws just to save some money;
- Carrying a large number of people in goods vehicles or on tractor trolleys, especially during the wedding season, fairs and festivals, and religious or political rallies;
- Carrying prohibited explosives or inflammable goods in railway coaches or passenger vehicles;
- Parking heavy vehicles on highways without warning lights;
- Driving on illuminated city roads with headlights in high-beam mode;
- Attempting to board or alight from a running train, travelling on the roofs or footboards of railway coachs.

Breaking the law is second nature in India

Rights and duties are mutually supplementary and complementary. One cannot be claimed without the other. An American, in a letter to the editor published in *The Times of India*, Mumbai on October 4, 2007 said: "Factors such as poorly-maintained roads, lack of emergency services and police corruption, certainly, were factors to be blamed for India's shocking road fatality rates but it was the motorists, not the Government authorities, that must take most of the responsibility because they don't take simple and effective measures like wearing helmets and seatbelts to protect themselves. If motorists want to increase their chances of surviving an accident, they can assume personal responsibility and take the above simple steps, including driving more safely, and not just blame a faceless government entity."

It is true that the concept of contributory negligence — or its modern version, comparative negligence — is more relevant to the law of Torts and Contracts, yet in a wider and general perspective it applies to criminal law as well. People's actions and inactions contribute in increasing their own woes and losses. In the circumstances of India, it is futile to expect too much from a skeletal police force that is overburdened and stressed beyond reasonable limits. Every citizen is a policeman sans uniform. An alert and enlightened citizenry can avoid many pitfalls, avert damage to public and private property, and injuries and fatalities to self as well as others. A responsible citizenry reduces much of the stress and strain on the administration and law-enforcing machinery.

The trend of blaming the police for everything also leads to contradictory demands. More police interference to prevent crimes is sought but this means less liberty for the people. So, a reduction in police interference is sought to allow people liberty and to avoid police raj. How can both objectives be achieved simultaneously? Indeed, in our democratic set-up, we must opt for greater liberty and less police interference. It is entirely feasible if the people become more responsible. g

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What constitutes contributory negligence?

- Gambling;
- Consumption of cheap illicit liquor;
- Defacing protected monuments with graffiti;
- Making purchases from the grey market;
- Resorting to short-cuts to success and wealth;
- Taking loans from financial institutions with no intention to repay;
- Purchasing stolen property;
- Building dams, bridges, apartments etc. with substandard material and poor workmanship, thus endangering life and property at large;
- Allowing their wards to indulge in copying at examinations, managing paper-setters and valuers;
- Refusing to vacate a tenanted house that has outlived its life and is due to collapse;
- Resorting to corrupt practices in everyday life, vitiating the social environment;
- Allowing their livestock to roam on city streets and highways;
- Letting out houses to strangers without informing the police;
- Hiring domestic help without adequate verification of his/her antecedents;
- Erecting statues of their heroes at public (mostly illegally encroached upon) places and then not taking care of them until some day desecration by a miscreant galvanizes them into rioting;
- Remaining indifferent to suspicious persons, activities and objects around them;
- Participating in religious festivals, social events and political rallies in great number. Often such congregations have no effective leader with the result that discipline in the mob becomes the casualty. Everyone is afflicted by the me-first-me-ahead syndrome and often these events turn into stampedes, killing and injuring many;
- Lighting firecrackers in congested bylanes or close to inflammable articles;
- Taking the law in their own hands and imparting instant justice by resorting to rail or road blocks, violence and arson.

Making human rights a global concept is a little-recognized facet of globalization

MUCH has been said about globalization, its pros and cons, its promises and failures, and how it can or cannot help developing countries like India to follow the trajectories of development charted by those who have already achieved the distinction of being officially called "developed nations". The debates have centred on the pure economics of it: the merits or otherwise of market economics based on international trade and investment, with resource allocation mediated by international free market forces. In more senses than one, this debate is irrelevant for countries like India or China; not because, as protagonists of globalization argue, India and China have been the biggest beneficiaries of this phenomenon, but because they were the first to initiate this: India and China were the first globalizers in the ancient world. Until they handed the baton to others who replaced free market with the task of colonization and empire-building.

To return to the current round of globalization, there are two important factors that are overlooked in most discourses although these have potential to make the most significant impact on the lives of billions of people in these countries whom globalization has simply passed by, or who have been handed its bitter fruits. First, when Britain and America led their brand of globalization in the 18th to the 20th Centuries, they ensured that they were themselves not "globalized" — they developed their domestic markets and capacity of the masses to play their role in the market. This helped in broadening and deepening the effects of globalization by making sure that the benefits were not confined to the rich and the moneyed who went out to "globalize".

The second most important departure from previous globalizations, and perhaps the one that holds out the most prospect for the poor and the powerless, has been in the concept of global rights, especially in the global policy regimes on rights to development and application of humanitarian laws. Just as globalization drew the world closer in terms of free market mechanism and unfettered capital flows, it also brought about a realization that basic rights to protection, assistance and development as enshrined in different human rights conventions and international humanitarian laws needed global application. These are often referred to as second generation rights involving universal minimum welfare entitlements, as opposed to the first generation rights which relate to individual liberty and freedom on which a universal consensus ideology is yet to emerge. You could not have economic growth and prosperity for some, while turning a blind eye to the denial of basic rights to life and protection for a large majority of the world. The Millennium Development Goals (MDGs) and reshaping of the international aid architecture following the Monterrey Consensus are part of this global agenda. MDGs are not just a wish list for donor agencies or governments, but reflect commitments to ensure that various instruments under the international humanitarian laws and International Covenant on Economic, Social and Cultural Rights (1966) are met by governments in the first instance.

For the first time in the history of humanity, the language of rights entered the frame of discussions and policy-making at national and international levels in the past decade. The economic, social and cultural rights include a number of claims like claims to social security and a certain standard of living, adequate food, clothing, housing, healthcare, sanitation, education, etc. Prior to this, despite having various conventions and protocols agreed and ratified by governments, these hardly provided any strong reference point when it came to implementation, especially in developing countries. The introduction of rights in development discourse recognized that access to good healthcare is not just something a good government ought to provide, it is a right of the villagers to demand it. Tsunami-affected families had a right to receive assistance in the form of food, shelter and livelihood from national governments, international humanitarian agencies like the UN, and international and national non-governmental organizations. It is no longer a case of "a good government" doing a favour to its chosen subjects, nor a poor woman surviving on the generosity of a large-hearted NGO. There are rights, duties (duty of care) and obligations that come into the equation.

This world, our world

This has been the most significant achievement of globalization: the recognition of individuals as "subjects" of international law, and so of international concern, and bringing into the development equation the economic, social and cultural rights which national and international development processes ought to strengthen.

This is easier said than done. More so in a country like India where collective identities — be it religious, ethnic, caste, linguistic or regional affiliations — predominate over individual rights, and mediate the notion of what is just and fair. This explains why in a country which aspires to play a leading role in a globalized world, like in the days of medieval chieftains or as now happens in clan-based societies like Somalia or Afghanistan, a Chief Minister of modern-day India can set the entire state machinery upon one community — seeking to unlawfully kill and maim as many as possible, and then go on to proudly justify his actions which earn him approbation and a second term in office. And another chieftain, failing to provide what can be called decent administration under his command, sets his goons on a farming community in Nandigram, and then rewrites with the help of his comrades Manu's code of legality and ethics to proclaim to the world that the actions of his rapists, killer brigades and mass gravediggers were "morally and ethically justified".

These were, in the parlance of the Geneva Conventions, crimes against humanity — unlawful and deliberate killing of innocent civilians by a state.

What's more, within the country, the outrage, if any, against these pall-bearers of "justice" and "moral" standards was subdued. These are serious failures of the system: the use of political or communal tribalism as an instrument of state rule, the failure to protect those whose lives the chieftains were required by law to protect, the failure of the Centre and the judiciary to take cognizance of the fact that these were mass murders engineered by the state and hence crimes against humanity for which similar perpetrators elsewhere have been successfully prosecuted at the International Court of Justice. And the failure of the media and civil society at large to feel outraged not simply at the crimes but also how these crimes were shamelessly defended, and defended with pride, reminds one that, much as we would like to think that the likes of this happen only in Darfur, Somalia, Afghanistan, and Iraq in the 21st century, these medieval moral codes and Talibanized attitudes are still part of India's body politic.

The most significant achievement of globalization: the recognition of individuals as 'subjects' of international law, and so of international concern, and bringing into the development equation the economic, social and cultural rights which national and international development processes ought to strengthen

This has not been missed by the global media or the public in the globalized world who take an interest in what's happening in the developing world. Thanks to globalization, global media and public opinion, the renewed commitment to providing basic needs of life and livelihoods as a matter of right has meant that governments can no longer hide behind the curtain of sovereignty and still maintain a facade of a nation governed by the rule of law, both national and international. China could get away with the Tiananmen massacre in 1989, but Chinese businesses and government would shudder to think what would become of their global dreams if the same were to occur in the 21st century.

These weaknesses in the body politic of India are a reflection of a weak civil society. By civil society, we mean not just the NGOs and trade unions, but all entities which give primacy to the principle of individual rights, as opposed to collective bodies and associations based on collective identities of religion, caste, ethnicity etc. A civil society, while cherishing individual rights, also holds the state accountable for these. In India, the only agency of civil society that can be said to have matured to play this role effectively has been the media in the country. The judiciary through its "judicial activism" has also tried to play a critical role in recent years, despite all its weaknesses. The trade unions, though supposedly meant to uphold their individual members' rights, have often had identity crises and fallen into the culture of political tribalism that subsumes individual rights into collective identity. NGOs, barring a few in the country, are too weak or ineffective to make a serious impact. However, on the brighter side, the emergence of various movements, of the farmers and the displaced in Narmada, of the quarry workers and mine labourers in Northern India, of the forest produce gatherers in central India, of the vendors and self-employed women in Gujarat, of the factory workers in Chhattisgarh, to name a few, are gaining strength. Don't just dismiss them as obstructions in the path of globalization; they are genuine aspirations of a strong civil society and can only strengthen globalization in the long run.

The challenge for the state and businesses is to work together with the forces of civil society, and strengthen these forces on the one hand, and for civil society on the other to view itself not as an entity opposed to the state or private sector but as part of the body politic that constitutes the state, the market, the businesses, the NGOs, the judiciary, and all those whose *raison d'être* is to promote the rights of individuals in consonance with the national and international commitments the country has made. **g**

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'We must fight against haphazard development'

Pondicherry was just a small fishing village when the French occupied it in 1673. But it soon grew into a flourishing port town as the French were keen to make the most of a business opportunity. It was not easy as there were constant clashes with the Dutch and the English. In 1699, the Dutch captured the town and got down to fortifying it. Six years later, the French once again regained it. In the years to follow, they occupied Yanam, about 840 km from Pondicherry, Mahe on the Malabar Coast, and Karaikal that is around 150 km from Pondicherry.

It was only in 1954 that these four enclaves were transferred to India, resulting in the formation of the Union Territory of Pondicherry. As the transfer had to be ratified by the French parliament, it was only in 1962 that India and France exchanged instruments that France had ceded the four enclaves to India. From July 1, 1963, these enclaves became the Union Territory of Pondicherry. Keeping local aspirations in mind, the Union Territory has now been renamed Puducherry, but the capital city retains its old name, Pondicherry.

*It has been quite a change for **Mukut Mithi**, who is the Lt Governor of Puducherry after a tumultuous tenure in Arunachal Pradesh as Chief Minister. But he is enjoying his new role and talks of how his job is quite challenging in an interview with **Ramesh Menon** at the Raj Bhavan in Pondicherry. Excerpts:*

gfiles: *What is the mood in a comparatively new state?*

Mukut Mithi: Expectations are high in Puducherry as this is a Union Territory with a difference as we have elected representatives with a Council of Ministers. The other exception is, of course, Delhi. There has been a raging debate and demand that the government now allow complete power to the elected representatives. But we do not have a problem here. The Ministers and bureaucrats work well with me.

gfiles: *Does a small state like Puducherry get overshadowed by an industrial giant like Tamil Nadu that is on a resurgent path?*

MM: A lot of people think that it is a problem for a small state with an area of 479 sq km and a population of around 10 lakh to bloom under the shadow of a huge state like Tamil Nadu which is powerful culturally, politically and industrially. It is actually the opposite as we stand to gain. As our taxes are much lower here, most Tamil Nadu companies want to set up units here. So, we have HCL, MRF, L&T, Hindustan Lever, Lenovo and so on. We benefit from any resurgence in Tamil Nadu. Puducherry, in spite of its small size, has over 7,600 industries. Besides, we have a Special Economic Zone dealing with IT, cosmetics and others that are almost cleared. When it is up and running, it will create a lot of opportunities. One sea port has started in Karaikal and another one is being planned but it has slowed down as environmentalists are raising objections.

gfiles: *There seems to be an increasing focus on tourism here. Is the state planning a tourism strategy?*

MM: Puducherry is going to change pretty soon as there is a lot of focus on developing tourism. We want this little place to become a tourist hub as it has tremendous potential. At the moment, we get about 50,000 foreign tourists and six lakh domestic tourists. We want it to be a high-end destination as we do not want too many tourists crowding around such a small place as it will disturb the locals and the beauty that comes with the peace of the place. The hunt is already on for setting up of good quality resorts and we are in the process of setting up a golf course of international standard. Tamil Nadu has grown rapidly because of Japanese and Southeast Asian industry. The foreign employees love gold and we can exploit that as they can easily fly in a small aircraft in minutes.

gfiles: *How does the government visualize the state in the years to come?*

MM: We want to give a modern look to Puducherry. It is possible to do this while maintaining the heritage. As we are going in for all-round growth, we might as well opt for a modern look. We do not want Puducherry's growth to be like what we see in other haphazard cities. I, along with other officials, visited Australia, New Zealand, Singapore and Malaysia for studying deep sea fishing and the running of the Mass Road Transport System as we want to do both of these here. The quality of life of fishermen here is very poor. We want to first increase their earnings to change their future. They have to enjoy the fruits of development. We also have to think of a modern transport system.

gfiles: *What about funds? Is it difficult for such a small state to wring funds out of the Centre?*

MM: Do we have enough money? Well, not as much as we want, but it is not bad. Our allocation comes from the Planning Commission. They study our capacity before giving us funds. Earlier, Union Territories could not have a separate account but with amendments brought in, we can now have a public account from December 2007. The advantage is that we can borrow from the market, speeding up our resource capability. We can now be more productive. g

'If the Metro rail is Delhi's pride, the power sector is ours'

'HP has the lowest domestic tariff in the country, lowest transmission and distribution loss in the country, and 100 per cent consumer metering. We have also implemented-time-of-day tariff'

*Dr MP Sood is an action-oriented and people-friendly Himachal Administrative Services bureaucrat. Holding a doctorate in plant breeding, he is at present Secretary, Himachal Pradesh State Electricity Board. **Arun Lavania** spoke to him about the state of affairs in the power sector of the state:*

gfiles: *What are your priorities in the power sector?*

MP Sood: The Chief Minister, Dr Prem Kumar Dhumal, has given top priority to the utilization of Himachal's hydro-electric power potential which is estimated to be 20,416 MW — 25 per cent of the total hydro-electric power potential of the country.

gfiles: *And do you think such utilization is possible?*

MPS: Yes, it is. Our state has five major river systems originating from the Western Himalaya — Chenab, Ravi, Beas, Sutlej and Yamuna. The Sutlej basin alone has a potential of 9,867 MW followed by the Beas basin with 4,627 MW. Power projects with HPSEB, Central PSUs and the joint sector are in full swing and the Chief Minister is taking a personal interest in fuller utilization of potential. Therefore, I see no reason for non-utilization.

gfiles: *More power projects means increasing corruption during their allotments at the initial stage.*

MPS: I must tell you that HP does not face this problem. The Chief Minister's strict guidelines are to keep the business transparent, ensure fairplay and not compromise the quality and efficiency. Accordingly, at the first Cabinet meeting, it was decided to allot projects above 5 MW through open competitive bidding. Earlier, signing of "memorandum of understanding" was enough to allot projects up to 100 MW. If the Metro rail is the pride of Delhi, the power sector is our pride. The state has the lowest domestic tariff in the country, lowest transmission and distribution loss in the country, and 100 per cent consumer metering. We have also implemented time-of-day tariff and introduced incentivized KVAH-based tariff.

gfiles: *In difficult terrain like yours, it seems a far cry to minimize transmission and distribution losses.*

MPS: We have done it. The Accelerated Power Development Reforms Programme was started on June 16, 2001, when the Dhumal government was earlier in power, and the significant reduction of such losses from 26.61 per cent to 16.50 per cent over a period of about six years can be safely attributed to the implementation of this scheme.

gfiles: *What are your other concerns?*

MPS: To name a few, rural electrification, improvement in material procurement position, upgrading information technology, better consumer services and launching public interaction programme. g

Nanhe Praful is now mile-high

It's not just No 27 but also his personal acumen that has brought the Civil Aviation Minister thus far

by RENU MITTAL

BIDIS is the last thing one would associate with the savvy and sophisticated Union Minister for Civil Aviation. But bidi king of Vidarbha Praful Patel counts Bidi No 27 as the mainstay of his Rs 1,100-crore empire. He is superstitious about the number 27 — both his Delhi and Mumbai cell phones end with 27 while his personal fleet of luxury and vintage cars include this double-digit in the number plates.

The hugely successful and wealthy industrialist from Gondia in Maharashtra is today seen as the most visible face of the open skies, of the fast track reforms in the aviation sector, of the almost revolutionary paradigm shift in both flying and infrastructure detailing.

These are not necessarily Patel's contributions during the last four years of his stewardship of the civil aviation ministry; that he is able to take the credit for the entire aviation revolution speaks volumes for his management and communication skills coupled with excellent public relations and a strong grasp of the subject.

In several polls conducted over the last four years by media houses, Patel has emerged as one of the top five performing Ministers in the Manmohan Singh Council of Ministers, outrunning his mentor, philosopher and guide Sharad Pawar. In the eyes of the public, a plethora of options and a number of airlines to choose from is equal to good governance and good ministership.

Facile? Maybe. And this leads to the all-important question of whether at the fundamental level he has been able to achieve anything substantive or it's just a lot of hot air. While reforms were begun by the late Madhavrao Scindia during his years as Civil Aviation Minister in the Rajiv Gandhi era, it was Scindia who brought in the concept of open skies, allowing private players to step in and granting licences to Jet Airways, Sahara, the Damanias and others.

The second round of licences was given by the NDA government when it was in power. This included Air Deccan, Spicejet, Indigo and Kingfisher. But many of them, including Kingfisher and Indigo, started operations only after the UPA and Patel came to power in 2004.

As far as Kingfisher and Jet Airways owners — the flamboyant Vijay Mallya and Naresh Goel — are concerned, Patel is a personal friend who parties on the Mallya yacht, uses his private plane and flies to London to have lunch with Goel.

PIB

Praful Patel: accumulating miles

There have been plenty of charges of crony capitalism with some senior bureaucrats voicing apprehensions that Patel has helped the private players instead of the state-owned Air-India and Indian Airlines, particularly when it came to denying Indian Airlines permission to operate abroad until it had augmented its fleet. He has been given credit for facilitating the merger of Sahara Airlines with Jet Airways.

His greatest advantage has been that he has been able to ride on the 30-40 per cent year on year growth in aviation. To his credit, he has been able to give a paradigm shift to aviation if not in flying, at least in infrastructure. But for his persistence, Delhi and Mumbai airports would not have been privatized, though privatization for Hyderabad and Bangalore were cleared during the NDA regime. Patel is now pushing for privatization of 35 non-metro airports, which may in the final analysis be his biggest contribution. The much-needed Airport Economic Regulatory Authority is also in the pipeline and is currently before the Standing Committee for Civil Aviation.

Patel had himself been a member of the Committee for the last 16 years, having developed an early passion for the subject combined with knowledge and understanding. His interest was kick-started in his youth with his father, Mohanbhai Patel, owning a Cessna. Though Patel does not have a pilot's licence, he has logged flying hours and his interest has only grown over the years.

Long before that, his birth was a matter of great celebration with Mohanbhai marrying for the third time before Patel junior came into the world. A little known Bollywood director even made a film on him, *Nanhe Praful Kumar*. But Mohanbhai, a major industrialist in Gondia, also dabbled in politics — he was chairman of the Gondia municipality, an MLA and treasurer of the Bombay Congress. In that sense, Patel inherited both his business and political genes from his father who was a major influence though he died when the *nanhe* Praful was only 16.

The other major influences were Vasantdada Patil, who first offered him a ticket, Rajiv Gandhi, who gave him a Lok Sabha ticket and brought him to the Lok Sabha, and — the biggest — Maratha sugar daddy Sharad Pawar whom he calls Saheb and whom he consults about all major decisions, including those related to civil aviation. It is a relationship which has grown over the years and, after the exit of Suresh Kalmadi from Pawar's coterie, Patel is by all reckoning the most powerful of Pawar's men.

As far as Kingfisher and Jet owners Mallya and Goel are concerned, Patel is a friend who parties on Mallya's yacht, and flies to London to lunch with Goel

Blessed with an exceptional temperament and a more than helpful nature, Patel has also consolidated his relationships with Finance Minister P Chidambaram, Deputy Planning Commission Chairman Montek Singh Ahluwalia, Prime Minister Manmohan Singh and even Congress President Sonia Gandhi. Many a times he acts as the bridge between her and Pawar. These relationships have helped him to get decisions regarding his ministry cleared without too many roadblocks. Pawar also helps him with his networking.

Patel also has excellent relations with the bureaucracy, treating civil servants with courtesy and dignity — be it former Civil Aviation Secretary Ajay Prasad or the current one, Ashok Chawla. But, unlike several Ministers, he does not let the officials drive his agenda or lead him by the nose, though he does give them freedom to operate in their spheres.

But the biggest problem that the most travelled Minister (he is on the move almost every day) in the UPA government is facing is the merger of Air-India and Indian. The question is, how can two loss-making organizations convert into a giant money-making one? Interestingly, nobody knows why he has been pushing so hard for the merger. As late as March 2006, he was on record opposing it. But, to his credit, he fast-tracked the acquisition of aircraft for the two airlines — a decision pending for years.

Though Patel was catapulted into the hurly-burly of the business world as early as 16, when his father died and he had to miss school to look after the business, he is seen today as a politician with a modern mind coupled with a corporate mind open to new ideas, constantly innovating and looking for new avenues. A far cry from many middle-of-the-road politicians who have remained prisoners of their past.

As a businessman, Patel heads the CeeJay Group which has interests in bidis, pharmaceuticals, real estate, packaging, finance and oil and employs over 60,000 people. His personal wealth ensures that he does not draw a salary from the government but travels in any one of more than 20 luxury cars. His charitable trusts run over 40 schools in Maharashtra, providing education to 80,000 students.

While bidis and a privileged background coupled with a luxurious lifestyle have ensured that Patel as a Minister is seen as squeaky clean, politically he has miles to go before he catches up with mentors like Vasantdada Patil and Pawar and becomes a major political player in his own right in his home state. The journey would have to begin with winning his Lok Sabha constituency rather than the back-door politics of the Rajya Sabha.

The last four years at Rajiv Gandhi Bhawan have shown the potential and calibre of Patel as a Minister who knows what he wants and goes after it. As he told party colleague and friend DP Tripathi the day he was sworn in as Minister, "As a Minister I don't need to make money but I want to show I can do something. If at any time you feel I am doing anything wrong, don't hesitate to tell me." And DPT, as he is known, has been doing that from time to time. g

'We are here to improve India's defence capabilities on a par with world standards'

The F/A-18E/F: state-of-the-art fighter

Boeing Integrated Defense Systems is a $32.4-billion business headquartered in St Louis, Missouri, US with 72,000 employees worldwide. It provides network-centric system solutions to its global military, government and commercial customers. Vivek Lall is IDS' Vice-President and Country Head, after having held numerous leadership roles in marketing and engineering at Boeing. He earlier worked with Raytheon and NASA Ames Research Center and taught classes in aerodynamics and propulsion for aircraft and spacecraft to US Air Force and Boeing personnel.

Lall studied mechanical engineering in Canada and aeronautical engineering in Florida. He also has a doctorate in aerospace engineering. He was awarded a gold medal from Cambridge University for contribution in the field of aerospace. A member of the Sigma Gamma Tau Aerospace Honour Society and the Pi Mu Epsilon Mathematics Honour Society, he was president of the Mathematical Association of America. Excerpts from an interview by ***Anil Tyagi****:*

FOTOSAINDIA

'We have many products, like the CH-47 Chinook, AH 64 D Apache Longbow, AEW&C, C-17, Harpoon, that we are offering the Indian defence forces'

Vivek Lall: impressive portfolio

gfiles: *What is your focus in India?*

Vivek Lall: Until recently, India has relied on indigenous capabilities and non-US suppliers for its defence requirements, but improved relations between the US and India have forged a stronger alliance between the two countries and created the opportunity for defence acquisitions from US manufacturers. So we are here to improve the defence capabilities of India on a par with world standards.

gfiles: *What are you offering India?*

VL: Boeing will soon submit its bid for India's Medium Multi-Role Combat Aircraft competition. Currently, our offer to India includes the combat-proven F/A-18 E/F Super Hornet multi-role combat fighter, the P-8I multi-mission maritime patrol aircraft (MPA), the heavy lift CH-47F and MH-47G Chinook helicopters, and the combat-proven attack helicopter, the AH-64D Apache Longbow. The Integrated Defense Systems (IDS) portfolio extends to the C-17 Globemaster III strategic lift cargo plane, and C4ISR platforms and Airborne Early Warning and Control systems. IDS is also a leading provider of aerospace support systems and network-centric operations that have high relevance to India's requirements.

gfiles: *What is the super F/A-18E/F Super Hornet Block II?*

VL: The F/A-18 Super Hornet offers India the most advanced see-all, do-all combat fighter in production today, capable of defending the nation from the Himalaya to the Indian Ocean with unmatched lethality, pilot safety and the promise of 30+ years of US Navy-funded upgrades. Continuous new technology insertion (US Navy-supported) will provide the Indian Air Force with advanced multi-role combat capabilities and robust capability to defend Indian airspace and coastlines for 30+ years.

gfiles: *What about technology transfer?*

VL: The India production assembly line Super Hornet offers transfer of technology (pending US government approval) and production line processes to groom a skilled Indian aerospace labour force. Boeing is planning to offer India the latest advanced US technology (pending US government approval) relating to radar evasion, AESA radar, network-centric capabilities, twin-engine safety for India's vast distances, commonality with the US Navy. These products are all network-centric capabilities for close battlefield cooperation, simultaneous air-to-air and air-to-ground capabilities, incomparable detection, targeting, tracking and self-protection features. Aircrews can see further, track more targets more accurately and at greater distances.

gfiles: *What are you offering the Indian Navy?*

VL: Boeing IDS is offering the P-8I, the next generation of Maritime Patrol Aircraft. The P-8I, the world's most advanced anti-submarine and anti-surface warfare plane, is offering to India the reach, speed, technology and endurance necessary to protect 7,000 km of coastline, and to extend beyond India's shores to protect crucial international shipping lanes. The P-8I offers any country tremendous capability advances over legacy systems.

gfiles: *What is in your portfolio and how is it suited to India?*

VL: We have many products, like the CH-47 Chinook, AH 64 D Apache Longbow, AEW&C, C-17, Harpoon, that we are offering the Indian defence forces.

gfiles: *But how is this useful for India?*

VL: The CH-47 Chinook offers India a powerful workhorse helicopter capable of supporting the Indian Army in rugged high-altitude outposts. It offers India medium-to-heavy-lift and high-altitude transportation. The AH-64D Apache Longbow is the newest version of the Apache and a candidate to fulfill the attack helicopter and reconnaissance requirements of numerous armed forces worldwide. The 737 AEW&C can offer India's armed forces a precise picture of the battlefield for enhanced decision-making. It expands the AWACS family to include a high-performance, affordable system with designed-in payload, space, power, cooling and computing capacity reserves which provide substantial future growth capability. The C-17 is the new global airlift standard with strategic capabilities. It's the airlifter of choice in the global war on terrorism and for humanitarian and disaster relief efforts worldwide. Then there's Harpoon. The US Navy and Boeing have extensive experience in integrating Harpoon missiles on domestic and international aircraft. Integrating Harpoon in the Indian Air Force's Jaguar aircraft is low-risk and provides the IAF with exceptional ASuW (Anti-Surface Warfare) capabilities. Harpoon Block II expands the capabilities of the Harpoon anti-ship weapon. The world's most successful anti-ship missile, Harpoon features autonomous, all-weather, over-the-horizon capability.

gfiles: *What is the super F/A-18E/F Super Hornet Block II?*

VL: The combat-proven F/A-18E/F Super Hornet Block II is the 21st century's premier multi-role strike fighter with all the proven capability, flexibility and performance necessary to modernize the air or naval aviation forces of any country at a compelling cost. Two versions are currently in production: the single-seat E model and the two-seat F model. Both are true multi-role aircraft, able to perform virtually every mission in the tactical spectrum, including air superiority, day/night strike with precision-guided weapons, fighter escort, close air support, suppression of enemy air defence, maritime strike, reconnaissance, forward air control and tanker. The Block II Super Hornet's suite of integrated and networked systems provides enhanced interoperability and support for ground forces as well as the overall force commander. A comprehensive spiral development design concept — including the addition of the APG-79 Active Electronically Scanned Array (AESA) radar — offers continuously improving overall mission capability and supportability. AESA tracks twice as many targets as current systems, provides long detection range, high-resolution synthetic aperture radar (SAR) maps at long stand-off ranges, simultaneous air-to-air and air-to-ground tracking, an optimized low radar cross-section that complements the electronic warfare suite. With a total of 11 weapon stations, the Super Hornet also provides extraordinary payload flexibility by carrying a mixed load of air-to-air and air-to-ground ordnance. A typical basic loadout for a self-escort strike mission starts with an advanced infrared targeting pod, one AIM-120 "AMRAAM", two AIM-9 "Sidewinder" missiles, and an external fuel tank. This leaves six under wing weapon stations available to carry a variety of weapons and other stores.

gfiles: *Has anybody purchased the F/A -18F?*

VL: In March 2007, Australia announced its intention to purchase 24 F/A-18F Super Hornets. This represents the first international sale of the F/A-18E/F Super Hornet. As of September 2007, Boeing delivered more than 340 Super Hornets to the US Navy.

gfiles: *Are you supplying the same equipment to Pakistan or any neighbouring country?*

VL: We're not supplying the same equipment to Pakistan. g

SERVING INDIVIDUALS AND SOCIETY

A civil servant's memories of shutting down a Birla factory and racing against time to build Delhi's Talkatora pool

FOTOS4INDIA

PS Bhatnagar: welfare above all

WHEN I was Chairman, New Delhi Municipal Corporation (NDMC), one day I heard a lady arguing loudly with my Personal Secretary, insisting on meeting me. It was not a scheduled time for people to meet me but I told my PS to let her in. She entered and, in a choked voice, narrated her plight. She was a teacher and her husband was to be operated upon in Vellore the next week. She had applied for a loan three months earlier but it was yet to be sanctioned. If she did not get it, the surgery would be postponed and her husband would eventually die. I asked her to come the next day and collect the cheque. I then instructed the concerned officers to leave the cheque in my office at 10 am. She did come and collect the cheque and I forgot about the incident. Three months later, she arrived with sweets and said the surgery had been successful and that she had just been to Balaji temple where she prayed first for me and then her husband. As she thanked me, tears rolled down her cheeks.

This episode convinced me that a bureaucrat can contribute a great deal towards the welfare of both individuals and society.

I appeared for the IAS examination on the encouragement of my father, a doctor. I had become enamoured of the IAS when the son of an IAS friend of my father stayed with us in Mirzapur. I was a postgraduate in English from DAV College, Kanpur and became a lecturer in Khurja. Coming from a small city, when I joined the service in 1965, it was a novel experience to be rubbing shoulders with Rhodes scholars, university toppers, and sons and daughters from some of the country's most influential families. But I made my niche in almost every group except the KTPs (Key in Type Probationer)!

I vividly recall the Director of the National Academy of Administration (later renamed Lal Bahadur Shastri Academy of Administration), MG Pimpupkar, an ICS officer of very high integrity. Probationers considered him a terror. He told us not to fear transfers for political considerations — the worst a politician can do to an honest officer. He would cite his transfers, more than the number of years of service he had put in.

Pimpupkar enforced punctuality and anyone late for physical training or riding classes had to run two or three rounds of the playground. Latecomers to other classes were denied entry and marked absent. The worst was when you were late for dinner. You were not allowed entry to the dining hall. It was common for probationers to go to bed hungry or eat at the food stall near the gate. However, what impressed me most was that once he took a decision he never reviewed it.

After passing out from the Academy in 1965, I was allotted the Union Territory (UT) cadre. As UT did not have a district for on-the-job training of officers, I was sent to Pauri Garhwal as SDM. My next posting was Paharganj, Delhi. At that time, Delhi was a small town and very clean, with wide roads and friendly people. As SDM, I was in charge of police, executive and judiciary and there was no separation of work.

In 1969, I became Director (Industries), Goa. I stayed there for six years (1969-75), serving as Collector, Secretary (Revenue) and Chief Secretary. Goa was very peaceful, clean, and sparsely populated. The leadership was non-interfering. Shashikala Kakodkar was Chief Minister. When I was Director (Industries), the Birla group was setting up a chemical factory called Zuari Chemicals. Zuari is a river, which the factory started polluting. I served a notice, ordering closure of the factory until an effluent treatment system was installed. It remained closed for three months and reopened only after the plant was installed. Nobody intervened or questioned my decision. This cannot happen today. A District Magistrate will be transferred if he dares take such a decision.

When the Emergency was imposed in 1975, I was a District Magistrate in Goa. Things improved overnight: people came and left office on time, buses plied on schedule, everybody was disciplined, political interference in official work disappeared.

I was Finance Secretary, National Capital Region of Delhi just before the scheduled inauguration of the Asian Games on November 19, 1982 — the birthday of Indira Gandhi. The government, worried at the slow pace of various projects, appointed me Chairman, NDMC to ensure timely completion. The biggest challenge was the construction of the Talkatora Swimming Pool which was a mandatory condition to hold the Games. I formed a monitoring committee which worked round the clock and took decisions on the spot. I myself was available to the staff at any hour of day or night to sort out problems.

It was during my tenure in the NDMC that Shivaji Stadium, Talkatora Indoor Stadium, the NDMC headquarters, and the underground parking in Connaught Place were completed. The NDMC was a small organization with enough money. The problem was that it planned big projects only on paper and lacked the courage to utilize available resources. I changed this mindset.

With 37 years of service behind me, one change I have seen is that the decision-making process has become much slower. However, the silver lining is that with the selection of more qualified and well-informed young people, the standard of the civil service has improved by leaps and bounds.

Being a Union Territory officer, I have often been asked why Delhi has not developed the way it should have. As a Chief Secretary, I have experienced Delhi's major problem — the influx of people. Delhi has certainly developed but it has failed to keep pace with the fast-growing challenges. It is shocking that, for the past 50 years, Delhi has been facing a power shortage and will continue to face it for want of proper planning. Also, every time a master plan is made it becomes a political casualty. As regards poor infrastructure, Delhi is a victim of the transport, builder and landowner lobbies. Our every innovative attempt to turn Delhi around was always stalled by this all-powerful trinity.

As Chief Secretary, I wanted to improve the transport system by roping in Volvo, an international bus manufacturing company. Volvo submitted a proposal to supply 2,000 buses every year so that in five years the number would swell to 10,000 buses. They would also maintain the buses and operate on routes. In return, they wanted only freedom in fixing routes and fares. Unfortunately, the other transport lobby got active and the proposal never fructified.

As a civil servant I have always held that the bureaucracy should be allowed to function independently without any fear of or intervention by the political masters. I have seen the way Jagmohan, as Lt Governor of Delhi, got work done by officers. He always asked them to start the task without waiting for the orders. He would call for the file the same evening and have it cleared. The best thing about him was that he took total responsibility for all his decisions.

The officer who influenced me most was SD Srivastava. When I was Finance Secretary and Secretary, Planning, he was Chief Secretary of Delhi. He had a wonderful capacity to grasp a subject and arrive at a solution quickly. I recall an incident regarding a Planning Commission meeting that both of us were to attend for annual sanction of grants. He did not have time to be briefed about the meeting and asked me to brief him during the 30-minute drive from Old Secretariat to the Planning Commission building. When he made his presentation, I marvelled at his mastery of the subject! g

'With 37 years of service behind me, one change I have seen is that the decision-making process has become slower. However, with the selection of more qualified and well-informed young people, the standard of the civil service has improved'

'As a civil servant I have always held that the bureaucracy should be allowed to function independently without any fear of or intervention by the political masters. I have seen the way Jagmohan, as Lt Governor of Delhi, got work done by officers'

by ARUN LAVANIA

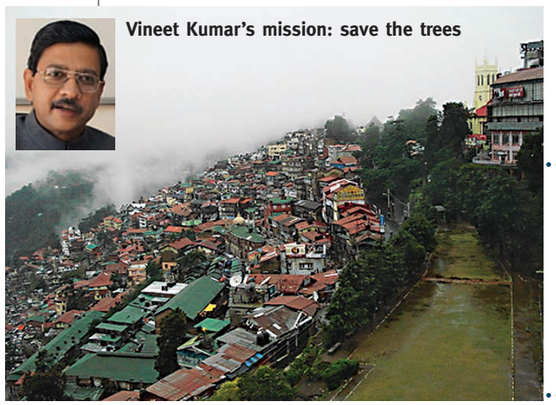
Man of the forest

A green crown for the queen of hill stations

THE real battle to save the forests around Shimla town began after the Shimla Municipal Corporation transferred about 1,800 hectares of forest land to the forest department on April 18, 2006 after 100 years of controlling it. "Obviously, the priorities of the Municipal Corporation are different — providing civic facilities. A meagre sum is kept for looking after the forest. Also, the Corporation cannot match the technical hands-on expertise of the forest department," says Vineet Kumar, a 1985-batch Indian Forest Service officer and Conservator of Forests, Shimla region.

Following the transfer, Kumar has taken several initiatives to stall the rapid disappearance of the town's green cover. Several schemes to tackle environmental and ecological degradation are being implemented rapidly. The first was the Green Shimla Yojna, aimed at saving the deodar. Employment generation and improving the scenic beauty of the hill station are the most attractive features of the scheme.

Afforestation over about 200 hectares of forest land has already begun. Alongside, removal of diseased and dry trees in a phased manner is on with at least 10 saplings being planted against each tree removed. Deodar, ban, buran (rhododendron) and asculus saplings grown in polythene bags under artificial regeneration are being planted. A model nursery with modern technology has been an essential part of the regeneration drive.



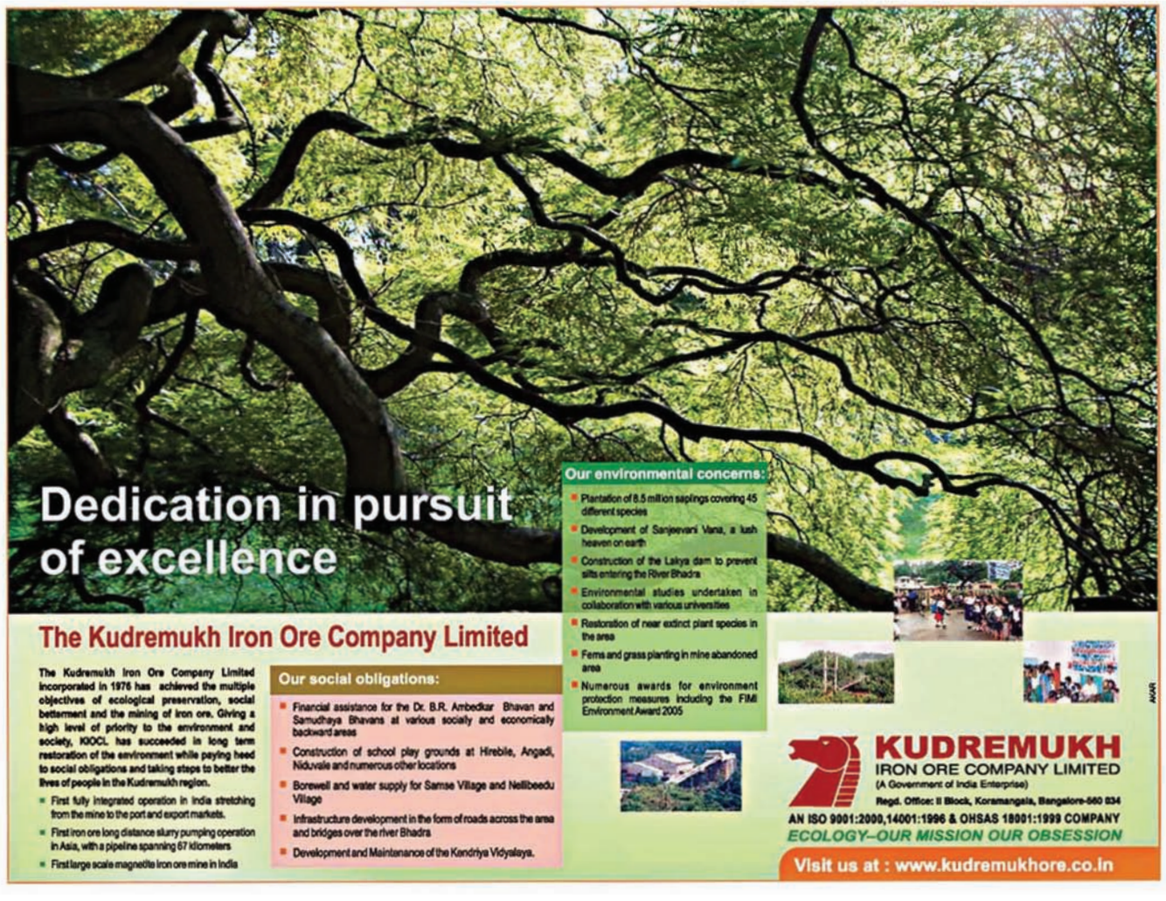
Vineet Kumar's mission: save the trees

To ensure community involvement, the concept of *Smriti Van* or Forest of Memories was evolved. It exhorts people to "Plant a tree towards a memory you wish to cherish and help us to grow it" and covers the area from Jakhoo hill top to Kamnadevi hill, including the Mall. The scheme also aims to solve the problem of garbage disposal and improve the town's drainage system. Three dumping sites have been identified in consultation with the Municipal Corporation and clearance obtained from the government in record time.

The *Smriti Van* scheme exhorts people to 'Plant a tree towards a memory you wish to cherish and help us to grow it'

The drains, originating from the highest point of the town, Jakhoo, and extending towards Summer Hill, will have technically solid embankments and soil-binding trees and shrubs. "The water stored in the embankments and the catchment area of Ashwani Khad will not only provide irrigation during dry spells but also improve water supply in and around Shimla town," says Kumar.

To attract tourists, a British walking trail from the Indian Institute of Advanced Studies to Glen has been redone and named Burans Path in view of the abundance of *buran* in the area. Kumar also plans to create a catchment area near Summer Hill which will supply the same amount of potable water to the town as that from the only catchment area currently, which dates from British times. The officer has also drafted a Tree Preservation Act of Shimla. In the process of being approved by the government, it will put an end to illegal felling, dumping of debris in forests, and dessication of trees. It includes a provision for setting up a Tree Committee and Tree Authority to look into routine affairs and complaints. An offender will have to forgo the right of land use — a strong deterrent against tree felling. g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Infrastructure development in the form of roads across the area and bridges over the river Bhadra
Development and Maintenance of the Kendriya Vidyalaya.
Our environmental concerns:
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by ARUN LAVANIA

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NOT since the first reported case of HIV way back in the early 1980s has anyone — in the government, NGOs or the bureaucracy — explored so brilliantly the facts and myths surrounding the disease in India as Rajesh Khullar, a 1988-batch IAS officer of the Haryana cadre, in his novel *Viral Match*. Currently Commissioner, Faridabad Municipal Corporation, Khullar has twice been project director of Haryana Aids Control Department.

"Despite a deluge of commercials on television, hoardings along city roads across the country, and Bollywood and cricket icons all emphasizing ways and means of preventing HIV, the subject still remains taboo and there is total silence about it. This needed to be broken," says Khullar. The national cricket team launched the book at the Chinnaswamy Stadium in Bangalore before the Test against Pakistan in December 2007.

Khullar (right) at the book launch

Viral Match revolves around Vishal, a successful businessman, who has extra-marital relations and infects his pregnant wife, Vandana. She learns that she is infected during a routine pregnancy test and is tormented by a sense of betrayal. She makes her husband get himself tested before going in for an abortion. Vishal then tries to revisit all his sexual encounters to try to pinpoint how he may have become infected. He also takes into account the blood transfusion he was given during a past surgery.

Anger, frustration and mistrust overwhelm the couple's relationship as each suspects the other of being responsible. Games of hide and seek continue between them until Vishal summons the courage to accept publicly that he is HIV+. The couple then reunites emotionally and makes a new beginning.

In a way, it is a misnomer to call *Viral Match* a work of fiction — a large number of people would identify with the plot. The most fascinating aspect of the novel is that the central theme has been discussed in a holistic approach, incorporating every aspect of human life and the shortcomings in governance of HIV in the country. For instance, it emphasizes how insurance policies discriminate against those who are HIV+. To strike a chord with the men at the grassroots level, spirituality, meditation and the theory of *karma* have been interwoven with the main theme.

This is a highly-researched work presented in captivating style that can transform a reader into a trained soldier to battle the HIV menace. But its readership will be limited to the English-speaking public. The government should have it translated into regional languages as an effective tool to fight AIDS and also for sex education. Perhaps, after the success of *Taare Zameen Par*, the film about mentally challenged children, an Aamir Khan will pick up the theme of *Viral Match* for another Bollywood blockbuster! g

birthdays

IAS officers' birthdays | March 16-April 15, '08

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For the complete list, see www.indianbuzz.com

TRACKING

For a complete list of appointments & retirements, see www.indianbuzz.com

CB BHAVE
The former 1975-batch IAS officer of the Maharashtra cadre is the new Chairman of Securities and Exchange Board of India (SEBI).

RS PANDEY
The 1972-batch IAS officer of the Nagaland cadre has taken over as adviser to the Nagaland Governor.

RAJIV JAIN
The 1980-batch IPS officer of the Jharkhand cadre has become Joint Director of the Intelligence Bureau, New Delhi.

YOGESH GUPTA
The 1976-batch IFS officer has been appointed the next ambassador of India to Denmark.

K MOHANDAS
The 1974-batch IAS officer of the Kerala cadre has been appointed Secretary, Ministry of Overseas Indian Affairs.

SURENDRA PAL GAUR
The 1974-batch IAS officer of the UP cadre is now Chairman, Inland Waterways Authority of India.

REKHA GUPTA
The 1975-batch officer of the Indian Audit & Accounts Service has been appointed Additional CAG of India.

ASHOK KUMAR
The 1974-batch IAS officer of the AGMUT cadre is the new Vice-Chairman of the Delhi Development Authority.

PRABH DAS
The 1981-batch IAS officer of the West Bengal cadre has become Executive Director, Petroleum Conservation Research Association.

AZAD TOOR
The 1987-batch IFS officer has been appointed India's envoy to Madagascar.

RAMESH CHANDER
The 1990-batch IRS officer has been appointed Director of the Ambedkar Foundation.

SK SOOD
The 1971-batch IAS officer of the Himachal Pradesh cadre is now Chairman, Himachal Pradesh Electricity Board.

KC VERMA
The 1971-batch IAS officer of the Jharkhand cadre has become Commissioner of the Bureau of Civil Aviation.

N AYYAPPAN
The 1997-batch IAS officer of the Kerala cadre is now MD, Kerala State Film Development Corporation.

RS SIROHI
The 1974-batch IAS officer of the Madhya Pradesh cadre has become Secretary, National Commission for Scheduled Tribes.

SUNDARAM KRISHNA
The 1977-batch IAS officer of the Punjab cadre has become Additional Secretary, Ministry of Defence.

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Moving On: ias and ips officers retiring in March 2008

ASSAM-MEGHALAYA
B Basumatary (1994)

BIHAR
Veena Chhotray (1972)
Rasid Ahmad Khan (1990)

GUJARAT
Avinash Kumar (1972)

TAMIL NADU
R Satapathy (1972)
S Suryan (1990)

KERALA
N Ayyappan (1997)

MANIPUR-TRIPURA
V Thulasidas (1972)

ORISSA
Goutam Kumar Das (1990)

PUNJAB
Janak Raj Kundal (1977)

UTTAR PRADESH
Surjit Kaur Sandhu (1978)

WEST BENGAL
Naresh Chaturvedi (1970)
Syamal Kumar Das (1992)

ips

ANDHRA PRADESH
M Babu Rao (1978)

HARYANA
RN Chahalia (1976)
Ved Parkash (1987)

ASSAM-MEGHALAYA
Shyam R Mehra (1970)

MAHARASHTRA
K Ramchandran (1981)

UTTAR PRADESH
Subhas C Gupta (1984)

WEST BENGAL
Syed Iftikar Sultan Ahmed (1970)
Vinod K Sharma (1973)

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STOCK DOCTOR | gs sood

Sentiment rules, and how!

THE markets have again proved that it is the market which is always correct and nothing else. Before the correction, making money in the market became very simple and one did not require the guidance of any expert. Whatever you bought in the morning, it invariably gave you a return of 3-5 per cent by the evening. As much as 70 per cent of the stocks, especially in the mid and small cap space, were logged on to the upper circuit. The investors were blatantly ignoring the fundamental principles of investing. Greed was so dominant that the difference between investment and speculation too became blurred. It has once again been proved that nothing but sentiment dominates the market. The markets continued to ignore all negatives be it the US sub prime crisis and possible slowdown, increasing rate of domestic inflation, rising crude prices, slowing GDP and corporate growth rates, fluid political scenario, happenings in Pakistan, and so on. This was happening because of the market's bullish sentiment. Everything possible was done and said to justify that bullish sentiment such as the decoupling theory with the Indian economy being different from others, our robust growth rate, healthy domestic demand, and fair amount of funds with domestic financial institutions and retail investors, and so on. Whatever could not be justified by fundamentals was justified by prevailing liquidity.

It is, in fact, the sentiment that interprets a particular event as per its liking. When it is bullish, it may afford to ignore even happenings such as US sub prime crisis. But when it is negative it can blow a small happening like an isolated case of bird flu elsewhere in the world out of proportion. It is precisely the sentiment which accounts for 80 per cent, the rest may not account for even 20 per cent. That is the reason that an event like the Fed rate cut was interpreted in exactly opposite and extreme ways. The earlier one was thought to bring in a lot of liquidity to emerging markets like India, giving our markets a push by a few thousand points. The last Fed cut of 75 basis points within a week's time has been said to be an admission of a deeper malaise prevailing in the US which can have its ramifications in other parts of the world.

The present lull should therefore be effectively utilized by small investors to accumulate good stocks in a staggered manner. Any further sharp dip in the market should be seen as a great buying opportunity to reap decent returns

ONCE again, it shows that the dominant sentiment takes away our sense of judgement due to sheer euphoria or panic. Earlier, stocks available at infinite PE with no fundamentals to support were lapped up by investors as if there was no tomorrow. Now, due to sheer panic, the best of stocks is not given a look by investors. Sentiment appears to have led to evaporation of all liquidity from the markets.

But one thing is different this time. My interaction with a number of investors suggests that investors might have been gripped with fear but they have not lost hope. I feel this is a positive sign for our markets and for our investors as well. They have been persistently asking me if they could buy stocks that have fallen the most. And my answer to this is a big "Yes". Though the markets may take some more time to come to their senses and there can be a few more bouts of selling by FIIs to compensate for their losses elsewhere in the world, the final picture is clearly in favour of emerging markets like India. FIIs, after this turmoil, will have to return to India in a big way. It is just a matter of time. The present lull should therefore be effectively utilized by small investors to accumulate good stocks in a staggered manner. Any further sharp dip in the market should be seen as a great buying opportunity to reap decent returns.

Lok Housing and Constructions (CMP Rs 213)

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INCORPORATED in 1986, Lok Housing and Constructions Limited (LHCL) is the flagship company of the Mumbai-based Lok group and is among the very few construction companies in India to have instituted six sigma quality systems for operational excellence, timely delivery and seamless execution of largescale projects. LHCL has a land bank of a whopping 1,222 acres across Mumbai, Pune and Bangalore with development potential of 62.5 million sq ft. Most of the land was acquired long ago at very low cost. In order to consolidate and emerge as a bigger player, the group recently merged Lok Shelter (involved in urban rehabilitation and reconstruction projects), Lok Global (involved in diverse infrastructure projects) and Lok Holding (a key vehicle to acquire land) with LHCL.

The company's equity has increased to Rs 42.88 crore against Rs 11.70 crore due to merger of group companies / warrant conversion. Promoter holding got increased to 51 per cent against 23 per cent last year. To fund its upcoming projects, the company is looking to raise over Rs 800 crore through QIB/FCCB/GDR/private placement in future. Accordingly, it made a preferential allotment of 762,200 shares to Bennett Coleman & Co. at Rs 197 per share and 50 lakh warrants to promoters at Rs 354 per share. The scrip hit a new 52 weeks' high of Rs 390 on January 1, 2008 but collapsed 50 per cent in the recent upheaval in the stock market. It is supposed to be an excellent buy at current price.g

The author has limited exposure to the stocks recommended with a long-term perspective. gfiles does not accept responsibility for investment decisions by readers of this column. Investment-related queries may be sent to gfilesindia@gmail.com with Dr Sood's name in the subject line.

Dixit vents Dalit dislike yet again

THE Ludhiana-born Sikh-turned-Brahmin Chief Minister of Delhi, Sheila Dixit, has once again shown her feudal dislike of Dalit IAS officers of the Union Territory cadre. She is undeterred by the fact that Dalit officers have been the main force behind the birth and meteoric rise of the BSP, that Dalit voters are directly influenced by the officers from their community and that the Congress is desperate to win over this votebank.

Dixit had already had her way when her favourite 1975-batch IAS officer, Rakesh Mehta, was appointed Delhi Chief Secretary, superseding 10 officers, and when three IAS officers of the UT cadre, RK Verma, KK Sharma and Ramesh Negi, were brought back to Delhi on prized postings. But she had reportedly been gunning for three Dalit officers and an opportunity presented itself to her on a platter after the Prime Minister's visit to Arunachal Pradesh.

The Chief Minister of Arunachal Pradesh complained to the PM that the state administration was suffering an acute lack of officers. On his return to Delhi, the PM asked the Home Minister to look into the matter. The latter in turn asked Dixit to suggest three officers for posting in the far-off state. And she, it is said, at once took out a written slip and handed it to him. The Home Minister ordered their transfer promptly.

The three officers — all known for competence — are Vijay Dev, Commissioner, Food and Civil Supplies, Ved Prakash, Director, Vigilance, and Narendar Kumar, Commissioner, Industries in the Delhi government.

Floor-crossing, double-crossing

The babus of Uttar Pradesh are well aware that their skill in governance is not enough to ensure their continuance in the state's power-house — the fifth floor of the Secretariat. They also have to keep the Chief Minister in good humour and that is best done by acquiring and applying the art of political management for the benefit of the ruling party.

In this context, the burning question currently doing the rounds is: who engineered the entry of Congress MLA Lalla Bhaiya into the ruling BSP? Stunned and humiliated, UP Congressmen are pointing at a civil servant who works on the fifth floor of the Secretariat. This officer is known to be close to a Minister of State in the Congress-led Central government who belongs to Lucknow. Congress leaders are furious over the fact that the conspiracy was hatched with the full knowledge of the minister, who chose to remain silent.

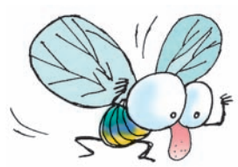
However, the incident has provided these Congressmen an opportunity to settle a personal score with the Minister, who allegedly wanted government protection for his business empire in the state. They are now asking the party president to take action against him.

Officer overflow

The supply of bureaucrats at the Joint Secretary-level currently exceeds the demand for them, shall we say. The Department of Personnel & Training (DoPT) has empanelled 88 IAS officers as Joint Secretaries. If the previous cases are also counted, the total figure exceeds 150. But the number of posts in various departments and Ministries at the Centre is just 30. This means that 130 Joint Secretaries will be left without work.

But the problem is trickier. The real picture of disparity will emerge only after DoPT receives offers from the state governments indicating their willingness to send the empanelled joint secretaries to the Centre. While officers from Punjab, Haryana and Andhra Pradesh rarely want to move to Delhi, some state governments never send their empanelled officers to the Centre. DoPT is then always in a fix as to how to fill the 30 posts and what to do if the officers fail to join for any reason.

Meanwhile, the politicians are said to be gloating over the problem as the bureaucrats have begun seeking them out in order to secure the coveted posts. g



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